

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 6557 of 2022**

***Situ @ Sandha @ Biswajit  
Parida and another***

....

***Petitioners***

Mr. A.S. Paul, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. P.K. Maharaj, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**13.10.2022**

**Order No.**

**04.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in connection with G.R. Case No.575 of 2022, pending in the Court of learned S.D.J.M., Khurda arising out of Khurda Model P.S. Case No.117 of 2022, for alleged commission of offences under Sections 394 of IPC and are in custody since 27.05.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned 2<sup>nd</sup> Additional Sessions Judge, Khurda by order dated 02.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that since final form has been submitted on 21.09.2022, further continuance of the petitioners in custody is not warranted in as

much as though innocent because of their criminal proclivity they have remanded in the case at hand.

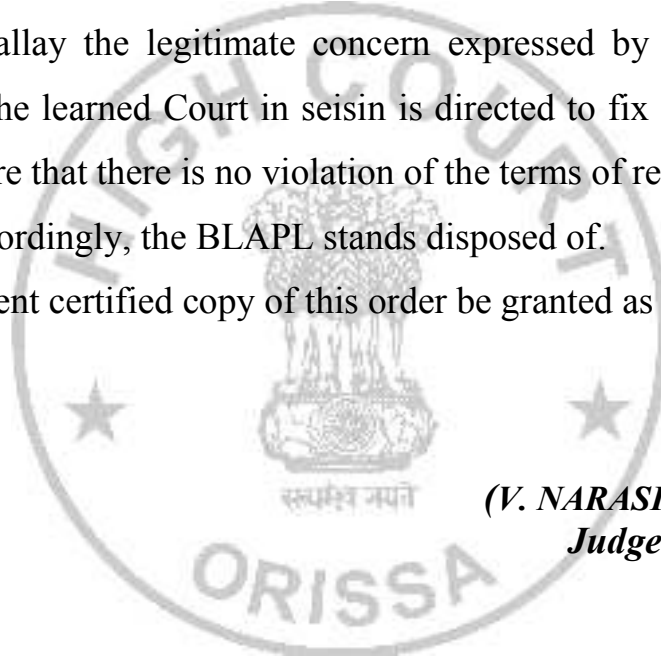
6. Learned counsel for the State opposes the prayer for bail relying on the recitals in the Case Diary stating that it clearly reveals the criminal proclivity of the petitioners, hence releasing them at this stage is not desirable.

7. Considering the manner of implication and filing of charge sheet, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. To allay the legitimate concern expressed by the Public Prosecutor, the learned Court in seisin is directed to fix such terms so as to ensure that there is no violation of the terms of release.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.



**(V. NARASINGH)**  
**Judge**