

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6596 of 2022

Surendra Yadav

....

Petitioner

Mr. S.K. Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.09.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in G.R. Case No.163 of 2022 pending in the file of learned J.M.F.C. Barbil, arising out of Barbil P.S. Case No.54 of 2022, offence under Sections 406/407/420/120-B/34 of IPC and is in custody since 04.04.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Champua by order dated 04.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that the petitioner has been remanded in custody because of his alleged involvement in the case of similar nature.
6. It is further submitted that though the alleged offence is one intentionally two cases have been foisted against the petitioner.

7. It is stated that since charge sheet has already been filed on 03.06.2022, further continuance of the petitioner in custody is not warranted.

8. Learned counsel for the State opposes the prayer for bail on the ground of antecedents and the manner in which the offence have been committed the petitioner ought not to be released on bail.

9. Considering the submissions made by the learned counsel for the petitioner and taking into account filing of charge sheet and nature of allegations, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

10. Since the petitioner is an outsider learned Court in seisin over the matter shall fix such terms to ensure his presence on each date of trial.

11. Accordingly, the BLAPL stands disposed of.

12. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi