

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6614 of 2022

Kalu @ Bijay Kumar Mohanta

Petitioner

Mr. A.Mishra, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
11.11.2022

Order No.

03.

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 C.T. Case No.176 of 2022 pending on the file of learned J.M.F.C., Sukinda, arising out of Sukinda P.S. Case No.72 of 2022, for commission of offence under Section 458/376 IPC.
4. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C by the learned Addl. Sessions Judge, Jajpur Road by order dated 06.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 19.04.2022 and as charge sheet has been filed on 17.05.2022, his further continuance in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail, inter alia, on the ground that the Petitioner has criminal antecedent of similar nature, which has been reflected in the order of rejection.

7. Perused the statement of the victim recorded under Section 164 Cr.P.C.

8. Taking into account the filing of the charge sheet, 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.

9. Taking into account the criminal proclivity of the Petitioner, it is directed that the Petitioner shall appear before the jurisdictional police station of the learned Court in seisin once every two weeks till conclusion of trial.

10. Accordingly, the BLAPL stands disposed of.

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

PKS

(V. NARASINGH)
Judge