

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6642 of 2022

Dipak Bhoi @ Deepak Bhoi

Petitioner

Mr. S.P. Das, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.11.2022

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.83 of 2022, pending in the file of learned J.M.F.C., Bhapur, arising out of Fategarh P.S. Case No.0084 of 2022, offence under Sections 457/380 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Senior Civil Judge (S.D.)-cum-A.S.J., Khandapada by order dated 13.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that the petitioner is in custody since 27.05.2022 and as charge sheet has already been filed on 25.08.2022 and basis of implication is on account of co-accused statement, further continuance of the petitioner in custody is not warranted.

6. Learned counsel for the State though not disputing the basis of implication of the petitioner but submits that in view of the criminal antecedent of the petitioner, as noted, he ought not to be released on bail at this stage.

7. Considering the basis of implication and filing of 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.

8. Keeping in view the criminal proclivity of the petitioner as alleged, this Court directs the petitioner to appear before the jurisdictional police stations once every week till conclusion of trial. And, additionally it is directed that one of the sureties shall be immediate member of the family.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge