

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6713 of 2022

Papu Singh

....

Petitioner

Mr.S.K. Lenka, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
17.10.2022

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 G.R. Case No.2543 of 2020 pending in the file of learned J.M.F.C (R)., Cuttack, arising out of Jagatpur P.S. Case No.474 of 2020, for commission of offence under Sections 394/34 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Cuttack (in-charge) by order dated 29.03.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that because of his criminal proclivity, he has been remanded at the case in hand and the charge sheet having been filed on 21.01.2022, further continuance of the Petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail of the Petitioner, inter alia, on the ground that the Petitioner has 19 criminal antecedents of similar nature. Hence, there is every likelihood of his not cooperating for conclusion of trial and even otherwise also he is not entitled to be released on bail.

7. Considering the manner in which the Petitioner has been taken on remand in the case at hand, 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. To allay the legitimate concern expressed by the learned Public Prosecutor, this Court directs that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter twice every week till conclusion of trial. The first date and time to be fixed by the learned Court in seisin over the matter. Certification of such appearance shall be submitted to the learned Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS