

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6911 of 2022

Mirza Goraudina Baig

....

Petitioner

Mr. B. Mahapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.09.2022

Order No.

02.

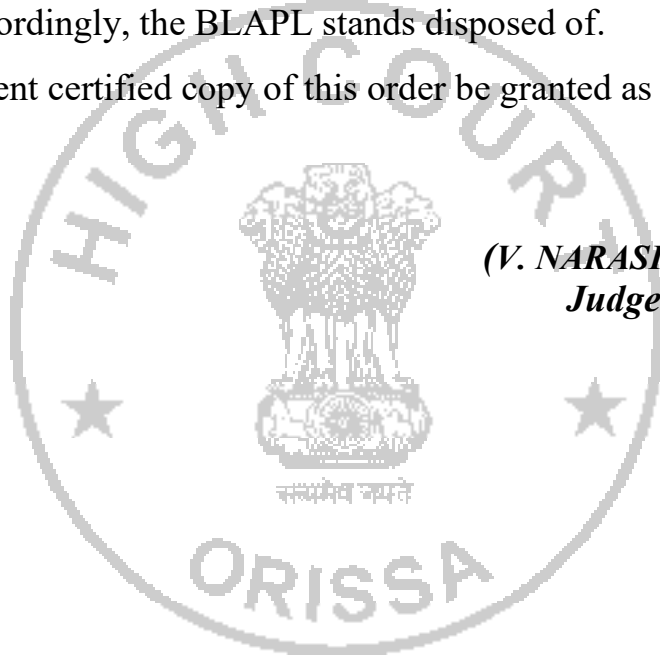
1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in G.R. Case No.601 of 2021, pending in the file of learned JMFC(P), Kujang, arising out of Paradeep Marine P.S. Case No.04 of 2021, under Section 420/406/407 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Distr & Sessions Judge, Kujang by order dated 11.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 26.06.2022 and charge sheet has already been filed, hence his further continuance in custody is not warranted.

6. Taking into account that the allegation is more or less based on documentary evidence and that the petitioner has no criminal proclivity, as stated by the learned counsel for the petitioner, this Court directs the petitioner to be released on bail. The learned Court in seisin over the matter to fix the terms. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stands recalled.

7. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge



Santoshi