

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 7047 of 2022**

***Sipun Naik @ Gopa @ Sipu  
Naik*** ....

***Petitioner***

Mr. A.K. Das 1, Advocate

*-versus-*

***State of Odisha*** ....

***Opposite Party***

Mr. A. Pradhan, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER  
19.10.2022**

**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.439 of 2022, pending in the file of learned S.D.J.M., Talcher, arising out of Talcher P.S. Case No.134 of 2022, offence under Sections 395 of IPC and is in custody since 29.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Talcher by order dated 21.07.2022 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 29.06.2022 and charge sheet has

been filed on 19.08.2022, further continuance of the petitioner in custody is not warranted.

6. It is submitted that the basis of implication is on account of co-accused statement and learned counsel for the petitioner further submits that the petitioner is the first offender; hence he may be released on bail.

7. Learned counsel for the State opposes the prayer for bail inter alia on the ground that filing of charge sheet fortifies the allegations.

8. Considering the age of the petitioner and the submission made at the bar that he is the first offender, 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 so as to ensure his presence on each date of trial.

9. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every 15 days till the conclusion of trial.

10. Accordingly, the BLAPL stands disposed of.

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

**(V. NARASINGH)**  
**Judge**