

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7125 of 2022

Sanket Mishra

....

Petitioner

Mr. S.K. Panda, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

17.08.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. Mr. B.N. Satpathy has entered appearance on behalf of the injured. The Vakalatnama along with the affidavit filed by the injured/victim is taken on record. A copy thereof has been served on learned counsel for the State.
4. The petitioner is accused in Attabira P.S. Case No.212 of 2022 corresponding to C.T. Case No.207 of 2022, pending in the file of learned NGN –cum- J.M.F.C., Attabira under Section 399/402 of IPC.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Bargarh by order dated 12.07.2022 in the aforementioned case, the present BLAPL has been filed.

6. It is submitted by the learned counsel for the State on instruction that charge-sheet has been filed in the meanwhile on 23.07.2022.

7. It is submitted by the learned counsel for the petitioner that since charge-sheet has already been filed. Taking into account the age of the petitioner he may be released on bail.

8. Learned counsel for the State opposes such prayer for bail inter alia on the ground of criminal proclivity of the petitioner as stated in the order of rejection and on the basis of instruction. Learned counsel for the State also submits that the petitioner is involved in three criminal cases of the year 2019.

9. Taking into account that the petitioner is in custody since 16.06.2022 and filing of the charge-sheet and considering his age, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

10. Additionally, it is directed that one of the sureties shall be immediate family member and that he shall appear before the jurisdictional police station once every week till conclusion of the trial.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha