

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7137 of 2022

Laxmidhar Behera

....

Petitioner

Mr. S. Mishra, 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. The petitioner is accused in Khallikote P.S. Case No.347 of 2022 corresponding to G.R. Case No.836 of 2022, pending in the Court of learned J.M.F.C., Khallikote under Section 392 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Khallikote, Ganjam by order dated 21.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel for the petitioner that named co-accused Chandan Jena has been enlarged on pre-arrest bail by order dated 22.07.2022 passed by this Court in

ABLAPL No.7843 of 2022. Hence it is submitted that his further continuance in custody is uncalled for.

7. Taking into account the nature of allegation and the release of the named co-accused as above, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. It is submitted by the learned counsel for the petitioner that the petitioner has no criminal proclivity. While enlarging the petitioner on bail the learned court below shall verify such assertion. If it comes to the fore that the petitioner has any criminal antecedent this order shall stands recalled.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha

