

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7236 of 2022

Sk. Babu @ Sk. Dayan

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.09.2022

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 connection with C.T. Case No.628 of 2022, pending in the file of learned S.D.J.M., Balasore, arising out of Sahadevkhunta P.S. Case No.222 of 2022, for offences under Sections 399/402 of IPC read with Section 4/5 of Explosive Substances Act, 1908 and Section 27 of Arms Act, 1959.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned ADJ-cum-P.O., Designated Court, OPID, Balasore, by order dated 25.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that since charge-sheet has already been filed on 30.08.2022 and the petitioner is in custody from since 03.07.2022, further continuance of the petitioner in custody is not warranted.

6. Learned counsel for the State submits that because of the criminal proclivity of the petitioner, the petitioner ought not to be released on bail at this stage notwithstanding filing of the final form which is taken on record.

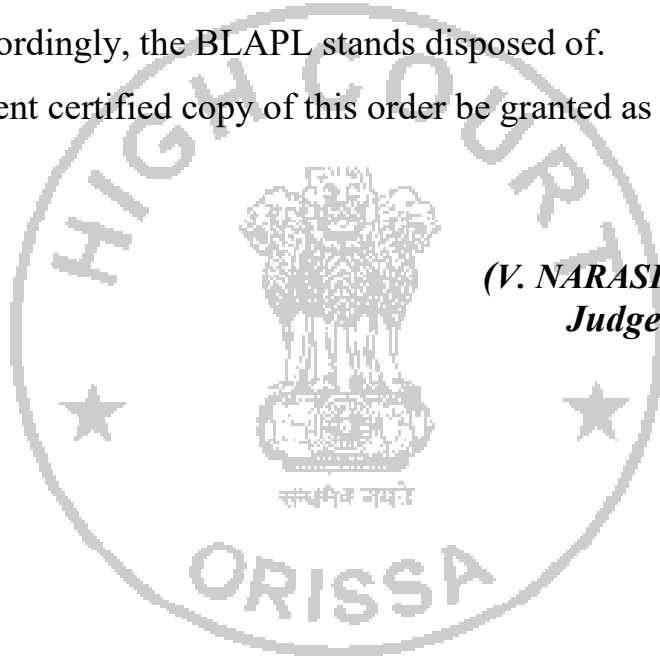
7. Considering the nature of allegations, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Keeping in view his criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station once every month till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge