

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7395 of 2022

Arjun Kumura & Another ***Petitioners***

Mr. S.K. Sahu, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
01.12.2022

Order No.

02.

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. The petitioners are accused in G.R. Case No.2222 of 2022, pending in the Court of the learned SDJM, Sambalpur, arising out of Dhanupali P.S. Case No.192 dated 03.06.2022, for commission of alleged offences under Section 395 of IPC.
3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Sambalpur, by order dated 15.07.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioners are in custody since 11.06.2022 and since charge-sheet has been filed on 07.10.2022, further continuance of the petitioners in custody is unwarranted.
5. Learned counsel for the State opposes the prayer for bail inter alia on the ground that petitioner No.1 has criminal antecedent.

6. Learned counsel for the petitioner clarifies that he was accused in committing the offence in the year 2013 in Naktideul P.S. Case No.64 of 2013 and on instruction submits that he has been acquitted in the case and it is stated that the petitioner No.2 has no criminal antecedent and is a first offender.

7. Taking into account the filing of charge-sheet and the period of custody, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Additionally it is directed that the petitioners shall appear before the jurisdictional police station once every week till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha