

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7525 of 2022

Rakesh Kumar Senapati

....

Petitioner

Mr. M. Basu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.08.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.
3. The petitioner is an accused in Sahadevkhunta P.S. Case No.325 dated 05.11.2021 corresponding to C.T. Case No.935 of 2021, pending before the learned Court, S.D.J.M., Balasore, under Sections 451/326/394/307/34 of IPC read with Section 27 of Arms Act and is in custody since 06.04.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned P.O., Designated Court, OPID, Balasore, by order dated 02.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that, by order dated 22.07.2022 the petitioner was permitted to withdraw this BLAPL No.3435 of 2022.

6. It is submitted by the learned counsel for the petitioner that in the meanwhile co-accused have been released on bail and taking into account the general nature of the allegation, the petitioner is entitled to be released on bail and also in view of the fact that charge-sheet has already been filed in the meanwhile.

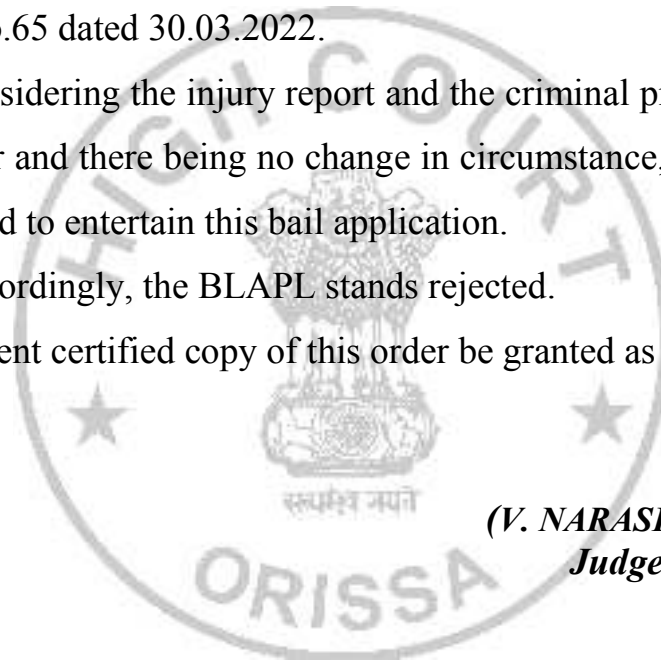
7. Perused the injury report which is on record.

8. Learned counsel for the State on the basis of recitals in the Case Diary submits that the petitioner has three criminal antecedents of similar nature. The last one being Balasore Town P.S. Case No.65 dated 30.03.2022.

9. Considering the injury report and the criminal proclivity of the petitioner and there being no change in circumstance, this Court is not inclined to entertain this bail application.

10. Accordingly, the BLAPL stands rejected.

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



(V. NARASINGH)
Judge

Ayesha