

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7716 of 2022

Sravan Kumar Naik

....

Petitioner

Mr. B.K. Ragada, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.09.2022

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 G.R. Case No.216 of 2022 pending in the file of learned J.M.F.C., Patrapur, arising out of Jarada P.S. Case No.173 of 2022, offence under Sections 341/294/323/324/307/506/34 of IPC and is in custody since 10.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, LR & LTV, Berhampur, by order dated 01.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that the overt act is attributed to one Amit Ku. Pradhan who is not the petitioner before this Court.

6. Learned counsel for the State opposes the prayer on the basis of recitals in the Case Diary submits that as correctly stated the specific overt act is attributed to Amit Ku. Pradhan but it is submitted that petitioner is also equally liable since all of them came in a group and assaulted the injured.

7. It is submitted by the learned counsel for the petitioner that the injured is leading normal life.

8. Taking into account the nature of allegations vis-à-vis the petitioner, 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.

9. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station once every week till the conclusion of investigation.

10. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stands recalled.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi