

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7741 of 2022

Kumar Das and others

....

Petitioners

Mr. B.B. Routray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
14.09.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in G.R. Case No.404 of 2022 pending in the file of learned S.D.J.M. Sambalpur, arising out of Sambalpur Sadar P.S. Case No.23 of 2022, under Sections 395/412/109 of IPC.
4. 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 18.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioners submits that out of the Rs.15,00,000/- (Rupees Fifteen Lakh only) which was the subject matter of crime, Rs.12,00,000/- (Rupees Twelve Lakhs only) has already been recovered and handed over to the informant and as

charge sheet has already been filed, further continuance of the petitioners in custody is not warranted. Hence, seeks release of the petitioners.

6. Learned counsel for the State while not opposing the factum of realization of the amount, submits that because of the antecedents the petitioners ought not to be released on bail.

7. Taking into account the period of custody and filing of charge sheet and that substantial amount has been recovered and made over to the informant, 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. Keeping in view the criminal proclivity of the petitioner additionally it is directed that the petitioners shall appear before the jurisdictional police station once every week till conclusion of trial and certification of such appearance shall be submitted to the Court in seisin over the matter

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi