

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7987 of 2022

Srikanta Behera

....

Petitioner

Mr. S.K. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
06.09.2022

Order No.

01.

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 accused in Hindol P.S. Case No.82 of 2022 corresponding to G.R. Case No.279 of 2022, pending in the file of learned Sub-Divisional Judicial Magistrate, Hindol, for alleged commission of offences under Sections 457/380 of IPC.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Hindol, by order dated 16.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by learned counsel for the petitioner that since charge-sheet has already been filed as stated in the order of rejection, his further continuance in custody is unwarranted, more so when he does not have any criminal antecedents.
7. Learned counsel for the State opposes the prayer for bail.

8. As evidence from the order of rejection, the stolen mobile handset and cash has been recovered in the meanwhile.

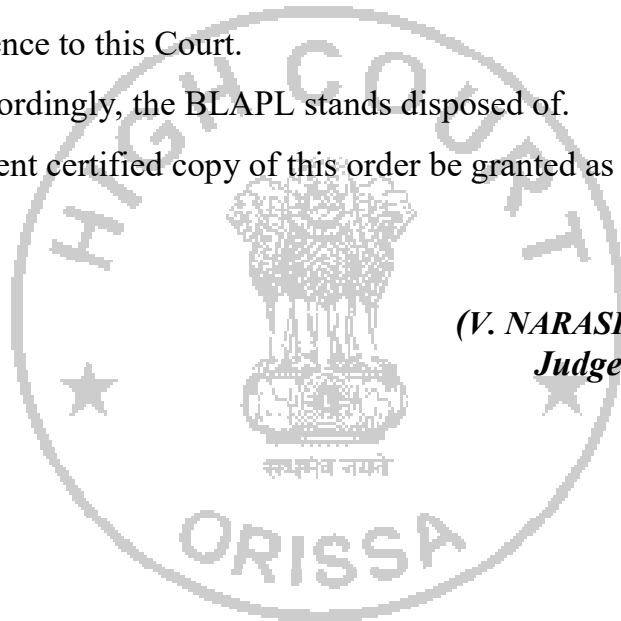
9. Taking note of the submission of learned counsel for the petitioner that the petitioner has no criminal proclivity, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

10. While so releasing the learned Court in seisin over the matter shall verify as to whether the petitioner has any criminal antecedent, in the event it comes to the fore that the petitioner has any criminal antecedent, the order shall stand recalled without any further reference to this Court.

11. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge