

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8104 of 2022

Mohamad Sahid

....

Petitioner

Mr. A. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

21.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in G.R. Case No.503 of 2022, pending in the file of the learned S.D.J.M., Nayagarh, arising out of Nayagarh P.S. Case No.120 of 2022, for commission of alleged offences under Section 395 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Nayagarh, by order dated 16.08.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner is in custody since 30.07.2022 and charge-sheet has already been filed, hence further continuance of the petitioner in custody is unwarranted.
5. Learned counsel for the State opposes the prayer for bail and submits that the manner in which the offence has been committed, the petitioner ought not to be released on bail, merely because charge-sheet has been filed.

6. Considering the nature of allegation and filing of charge-sheet, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

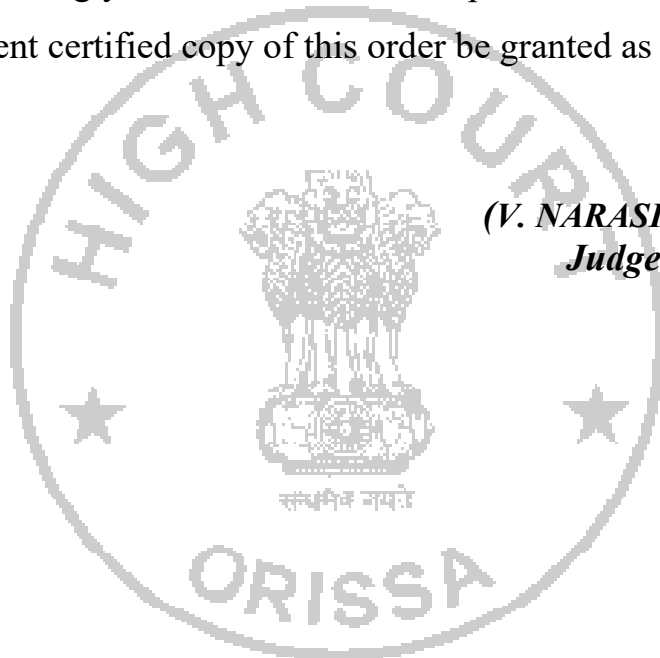
7. Learned counsel for the petitioner submits that the petitioner has one criminal antecedent.

8. Learned Court in seisin shall verify such assertion. If it comes to the fore that the petitioner has more than one criminal antecedent of similar nature or of one having graver implication, this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge



Ayesha