

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8130 of 2022

Saroj Kumar Dandpat

....

Petitioner

Mr. J. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.09.2022

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 C.T Case No.300 of 2022 pending in the file of learned S.D.J.M., Baripada, arising out of Baripada Sadar P.S. Case No.28 of 2022 for offences under Section 394 IPC and Section 25 of the Arms Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Mayurbhanj, Baripada by order dated 01.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel for the Petitioner that the implication of the Petitioner is on account of the statement of co-accused Gopinath Maharana and the charge sheet has been filed

on 4.8.2022. Hence, further continuance of the Petitioner in custody is unwarranted in the factual matrix of the case.

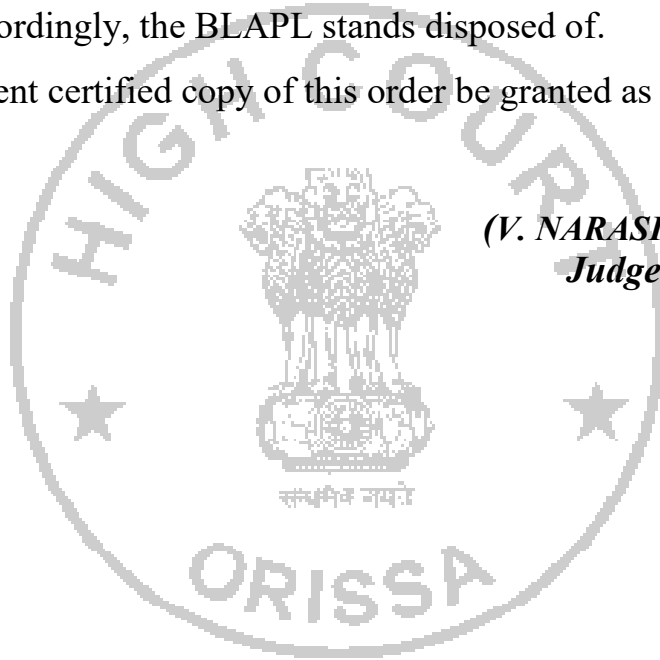
7. Taking into account the basis of implication, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

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

9. Accordingly, the BLAPL stands disposed of.

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

PKS



(V. NARASINGH)
Judge