

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8179 of 2022

Kulu Pradhan

....

Petitioner

Mr. C.R. Sahu , Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

19.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in connection with G.R. Case No.397 of 2022, pending in the Court of the learned S.D.J.M., Rairakhol, arising out of Charmal P.S. Case No.90 of 2022, for alleged commission of offences under Sections 395/120-B of IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Rairakhol, by order dated 17.08.2022 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 01.08.2022 and charge-sheet has been filed on 27.10.2022.

5. Learned counsel for the petitioner relies on the order passed by this Court by order dated 13.09.2022 in ABLAPL No.11051 of 2022 and submits that the petitioner is similarly circumstanced.

6. It is further submitted that the co-accused has been released on bail by this Court by order dated 30.11.2022 in BLAPL No.9086 of 2022.

7. Learned counsel for the State opposes the prayer for bail.

8. Taking into account filing of the charge-sheet and that the petitioner is the first offender, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin.

9. While releasing the petitioner on bail, the learned Court below shall verify assertion regarding criminal antecedent of similar nature. If it comes to the fore that the petitioner has such criminal antecedent, this order shall stand recalled without any further reference to this Court.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi