

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8226 of 2022

Chandan @ Biswajit Barik

....

Petitioner

Mr. L. Mahapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.12.2022

Order No.

06.

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in G.R. Case No.251 of 2022 pending on the file of learned J.M.F.C., Niali, arising out of Niali P.S. Case No.281 of 2022, for commission of offence under Section 395 IPC and Sections 25/27 of the Arms Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge-cum-Special Judge (Vig.), Cuttack by order dated 24.08.2022 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 17.07.2022 and charge sheet has been filed on 11.11.2022.
5. It is submitted that the basis of implication of the Petitioner is on account of the co-accused statement and that the Petitioner has

also not been identified in the T.I parade. Hence, further continuance of the Petitioner in custody is not warranted.

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

7. Considering the manner of implication of the Petitioner in the case at hand and filing of the charge sheet, as noted above, 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. Keeping in view the criminal proclivity of the Petitioner, additionally it is directed that the Petitioner shall appear before the jurisdiction police station of the learned Court in seisin once every week till conclusion of trial.

9. The BLAPL thus stands disposed of.

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

(V. NARASINGH)
Judge

PKS

