

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8228 of 2022

Akash Deep @ Chadak

....

Petitioner

Mr. Dilip Kumar Sahu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.10.2022

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. No.399 of 2022 pending in the file of learned S.D.J.M., Jharsuguda, arising out of Lakhanpur P.S Case No.43 of 2022, for offence under Section 457/436 IPC and is in custody since 05.04.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. District & Sessions Judge, Jharsuguda by order dated 20.04.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 05.04.2022 and the charge sheet having been filed in the meanwhile, further continuance of the Petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail of the Petitioner, inter alia, on the ground that the Petitioner has criminal proclivity as evident from the order of rejection.

7. Considering the nature of allegation and filing of the charge sheet, 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. Keeping in view the criminal proclivity, learned Court in seisin over the matter is requested to fix suitable terms so as to ensure the Petitioner does not violate any of the bail conditions.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS

