

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8305 of 2022

Sahil Khan

....

Petitioner

Mr. P.Ch. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

14.09.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
4. The petitioner is accused in G.R. Case No.1194 of 2022 corresponding to Khurda Model P.S. Case No.356 of 2022, pending in the file of learned S.D.J.M., Khurda, for commission of alleged offences under Sections 420/120-B/34 of IPC.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Khurda, by order dated 23.08.2022 in the aforementioned case, the present BLAPL has been filed.
6. It is submitted by the learned counsel for the petitioner that co-accused person similarly circumstanced one Santanu Sahoo has since been released on bail by order dated 05.09.2022 in BLAPL No.7955 of 2022 and the owner of the mobile shop who according

to the petitioner is the principal accused has since been released on anticipatory bail by this Court order dated 04.08.2022 in ABLAPL No.9177 of 2022.

7. It is submitted that since investigation has substantially progressed and the petitioner is in custody since 05.08.2022, hence further continuance of the petitioner in custody is unwarranted.

8. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the materials on record, it cannot be said that the petitioner has no role in the offence and the matter is pending investigation, the petitioner ought not to be released on bail.

9. Taking into account the release of the co-accused and the other accused persons, granted anticipatory bail, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

10. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station once every week till submission of final form and the criminal antecedent to be verified by the learned Court.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha