

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8351 of 2022

Suresh Majhi

....

Petitioner

Mr. U. Barik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.12.2022

Order No.

02.

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

2. The Petitioner is accused in connection with C.T. Case No.274 of 2022 pending on the file of learned J.M.F.C., Jaipatna, arising out of Jaipatna P.S. Case No.282 of 2022, for commission of the offence alleged under Sections 307/506/34 IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Dharamgarh by order dated 26.08.2022 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 03.08.2022 and as charge sheet is filed on 31.10.2022, his further continuance in custody is not warranted.

5. Learned counsel for the State opposes the prayer, inter alia, on the ground that the Petitioner along with co-accused Sahadeb

Naik tried to commit the murder of the husband of the Informant by locking door of the room from outside and setting it on fire. It is stated that by sheer providence the injured has survived.

6. Taking into account the period of custody 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.

7. Additionally, it is directed that the Petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

8. Learned counsel for the Petitioner submits that he is not in a position to apprise this Court about the criminal antecedent of the Petitioner.

9. While releasing the Petitioner on bail, learned Court below shall verify assertion regarding **criminal antecedent of any nature**. If the Petitioner has any criminal antecedent, this order shall stand recalled.

10. The BLAPL thus stands disposed of.

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

(V. NARASINGH)
Judge

PKS