

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8386 of 2022

***Rohit Kumar Chattar @
Babunu***

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
21.11.2022**

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.
3. The Petitioner is an accused in G.R. Case No.709 of 2022 pending on the file of learned S.D.J.M., Nabarangpur, arising out of Nabarangpur P.S. Case No.299 of 2022 for commission of the offence under Sections 364-A/395/506 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. District & Sessions Judge, Nabarangpur by order dated 25.08.2022 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 27.06.2022 and as the charge sheet has been filed since 21.10.2022, his further continuance in custody is not warranted more so when by order dated 09.11.2022 in

BLAPL No.8756 of 2022 (Petitioner-Toofan Sagaria @ Tufan Sagaria) and by order dated 10.11.2022 in BLAPL No.8744 of 2022 (Petitioner-Ajay Rally) co-accused have been directed to be released on bail. It is further submitted that the present Petitioner has lesser complicity.

6. Learned counsel for the State opposes the prayer for bail, inter alia, on the ground that the present Petitioner was named in the FIR.

7. Taking into account the nature of allegation, release of the co-accused, as adverted to above 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.

8. Additionally, it is directed that, keeping in view the criminal proclivity of the Petitioner, he shall appear before the jurisdictional police station once every week till conclusion of trial.

9. While releasing on bail, learned Court in seisin shall verify the criminal antecedent of similar nature. If it comes to the fore that the Petitioner has such criminal antecedent, this order shall stand recalled.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS