

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8564 of 2022

Shankar Minz

....

Petitioner

Mr. R.N. Parija, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
20.09.2022

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.
3. The petitioner is an accused in G.R. Case No.179(B) of 2010, pending in the file of learned J.M.F.C., Rajgangpur arising out of Rajgangpur P.S. Case No.87 of 2010, offence under Sections 395/435 of IPC and is in custody since 20.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Sundargarh by order dated 04.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection on the basis of which learned counsel for the petitioner submits that the co-accused have been acquitted in S.T. Case No.32/21 of 2011 by the learned C.J.M

Sundargarh and it is also evidenced from such rejection order that other co-accused persons have been released on anticipatory bail.

6. Taking note of the same, this Court directs the petitioner to be release on bail on such terms to be fixed by the learned Court in seisin over the matter. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stands recalled.

7. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

