

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8628 of 2022

***Prasant Das @ Pratap Kumar
Sathpathy***

Petitioner

Mr. S.B. Mohanty, Advocate

-versus-

State of Odisha

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
20.10.2022**

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 G.R Case No.785 of 2021 pending in the file of learned J.M.F.C., Ersama, arising out of Ersama P.S Case No.283 of 2021, for commission of offence under Sections 419/420/468/120-B IPC and is custody since 02.07.2021.
 4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. District & Sessions Judge, Kujang by order dated 23.08.2022 in the aforementioned case, the present BLAPL has been filed.
 5. Perused the order of rejection.
 6. It is submitted by the learned counsel for the Petitioner that the Petitioner is similarly circumstanced with one Deepika @ Chaitali Mukharjee, who has been released on bail by this Court by

order dated 13.10.2022 in BLAPL No.9199 of 2022. It is stated that the investigation has completed and the charge sheet having been filed, further continuance of the Petitioner in custody is unwarranted.

7. Learned counsel for the State opposes the prayer for bail of the Petitioner, inter alia, on the ground that the Petitioner is a principal accused and cannot be treated at par with other co-accused person who stated to have been released on bail.

8. Taking into account the period of custody and the nature of allegation and release of the co-accused, 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.

9. Taking into account the criminal proclivity of the Petitioner, as pointed out by the learned Public Prosecutor, additionally, it is directed that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter once every week till conclusion of trial.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS