

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8641 of 2022

***Arun Kumar Pradhan @
Mantu***

Petitioner

Mr. S.K. Mohanty, Advocate

-versus-

State of Odisha

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
27.10.2022**

**Order No.
03.**

I.A. No.1817 of 2022

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. It is submitted by the learned counsel for the petitioner that on erroneous instruction regarding the criminal antecedent, it was submitted that the petitioner was the first offender, considering which this Court by order dated 21.09.2022, directed the release of the petitioner subject to verification of criminal antecedent.
4. It is stated that the petitioner is an accused in Daspalla P.S. Case No.179 of 2020 (wrongly stated as Daspalla P.S Case No.179 of 2022) in paragraph-5 of the I.A. under Section 341/323/324/326/307 of IPC and the petitioner was released on bail on 08.07.2021 by order of learned Sessions Judge, Nayagarh in BLAPL No.329 of 2021.

5. Considering the submission of the learned counsel for the petitioner, this Court is persuaded to modify the stipulation as contained in paragraph-8 of the order dated 21.09.2022 inasmuch as the stipulation relating to criminal antecedent, verification thereof and the consequences as stated, stands recalled.

6. Learned Court in seisin over the matter is called upon to act on production of the order passed in the I.A. along with the earlier order dated 21.09.2022.

7. Accordingly, the I.A. stands disposed of.

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

Ayesha

