

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 8661 of 2022**

***Nakul Benia @ Dharua Babu ....  
@ Sagaria Babu***

***Petitioner***

Mr. S.K. Jena, Advocate

*-versus-*

***State of Odisha***

*....*

***Opposite Party***

Mr. P.K. Maharaj, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER  
22.09.2022**

**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 C.T. Case No.276 of 2022 pending in the file of learned J.M.F.C., Khariar, arising out of Khariar P.S. Case No.280 of 2022, offence under Sections 419/420 of IPC and is in custody since 27.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Asst. Sessions Judge, Khariar by order dated 10.08.2022 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 because of his criminal proclivity he has been implicated in the case at hand.
7. Learned counsel for the State opposes the prayer for bail inviting the attention of the this Court in the order of rejection

where the antecedents of the petitioner stated to have been similar in nature

8. Taking into account that the petitioner is in custody since 27.07.2022, the nature of the allegation and the punishment prescribed and that investigation has substantially progressed and that in the meanwhile charge sheet has been filed on 19.09.2022, 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. Keeping in view the criminal proclivity of the petitioner this Court directs that he shall appear before the jurisdictional police station once every week till the 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*

*Santoshi*

