

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8696 of 2022

Amjad Khan @ Krishna

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in G.R. Case No.482 of 2022, pending in the file of learned S.D.J.M., Khurda, arising out of Khurda Sadar P.S. Case No.50 of 2022, offence under Sections 395 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Khurda by order dated 25.08.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that petitioner is in custody since 05.04.2022 and since charge sheet has already been filed, his further continuance in custody is not warranted.

5. Learned counsel for the State on instructions submits that though charge sheet has already been filed, petitioner ought not to be released on bail because of his criminal antecedent.

6. Considering the age of the petitioner and filing charge sheet and keeping in view his period of custody, 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.

7. Additionally, it is directed that the petitioner shall appear before the IIC Khurda Sadar Police Station twice every week for a period of three months from the date of release and such appearance shall be certified the Court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rules.

Ayesha

(V. NARASINGH)
Judge