

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8715 of 2022

Md. Sagir @ Md. Sajir

....

Petitioner

Mr. Jagabandhu Sahu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.10.2022

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.150 of 2022 pending in the file of learned S.D.J.M., Padampur, arising out of Padampur P.S Case No.39 of 2022, for commission of offence under Sections 274/275/34 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Padampur by order dated 17.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 13.02.2022 and the charge sheet having been filed on 31.03.2022, further continuance of the Petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail on the ground of criminal proclivity of the Petitioner. It is submitted that the Petitioner has 12 criminal antecedents of commission of offence of various nature. Hence, he ought not to be released on bail.

7. Taking into account the nature of allegation in the case at hand, this Court is persuaded to direct the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

8. To allay the legitimate concern expressed by the learned Public Prosecutor, this Court directs that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter twice every week till conclusion of trial. The first date and time to be fixed by the learned Court in seisin over the matter. Certification of such appearance shall be submitted to the learned Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS