

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

**BLAPL No.8756 of 2022**

***Toofan Sagaria @ Tufan  
Sagaria***

....

***Petitioner***

Mr. S. Dwibedi, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. P.K. Maharaj, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER  
09.11.2022**

**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 connection with G.R Case No.709 of 2022 pending in the court of learned S.D.J.M., Nabarangpur, arising out of Nabarangpur P.S. Case No.299 of 2022 for the alleged commission of offence under Sections 364-A/395/506 IPC.
4. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Addl. District & Sessions Judge, Nabarangpur by order dtd. 25.08.2022, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that since the Petitioner is in custody since 27.06.2022 and the charge

sheet has been filed on 21.10.2022, further continuance of the Petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail, inter alia, on the ground that the motor cycle, which was involved in the crime was recovered at the instance of the Petitioner. Hence, he ought not to be released on bail.

7. Taking into account the nature of allegation and the basis of implication and filing of the charge sheet, 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.

8. Additionally, it is directed that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter once every two weeks till conclusion of trial.

9. The BLAPL thus stands disposed of.

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

*PKS*

(V. NARASINGH)  
*Judge*