

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8764 of 2022

Gobardhan Patra @ Gobara

Petitioner

Mr. S.K. Pradhan, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
13.10.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No.1922 of 2020, pending in the Court of learned J.M.F.C., Transport Court, Berhampur, arising out of Golanthara P.S. Case No.325 of 2020, for commission of offences under Section 379/420/34 of IPC read with Section 66(C)/66(D) of the I.T. Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Additional Sessions Judge, Berhampur, by order dated 30.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that though the petitioner is innocent because of his criminal proclivity he has been remanded in the case and it is submitted that since charge-sheet has already been filed in the meanwhile, his further continuance in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that because of his criminal proclivity, the petitioner ought not to be released on bail.

7. Considering the nature of allegations and filing of 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. Taking into account the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial. The date and time of such appearance to be fixed by 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.

Ayesha

(V. NARASINGH)
Judge

