

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8800 of 2022

Dinabandhu Dehury

....

Petitioner

Mr. A.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.09.2022

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 2(b)C.C. Case No.20 of 2022 pending before the Court of learned S.D.J.M., Angul, arising out of O.R. Case No.1 of 2022-23, for offences under Section 51 of Wild Life (Protection) Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Angul, by order dated 08.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Learned counsel for the petitioner places on record the Advance prosecution report along with the seizure list, which prima facie indicates that the material purported to have been seized from the petitioner, as mentioned in paragraph-6 of the order of rejection is an error of record.

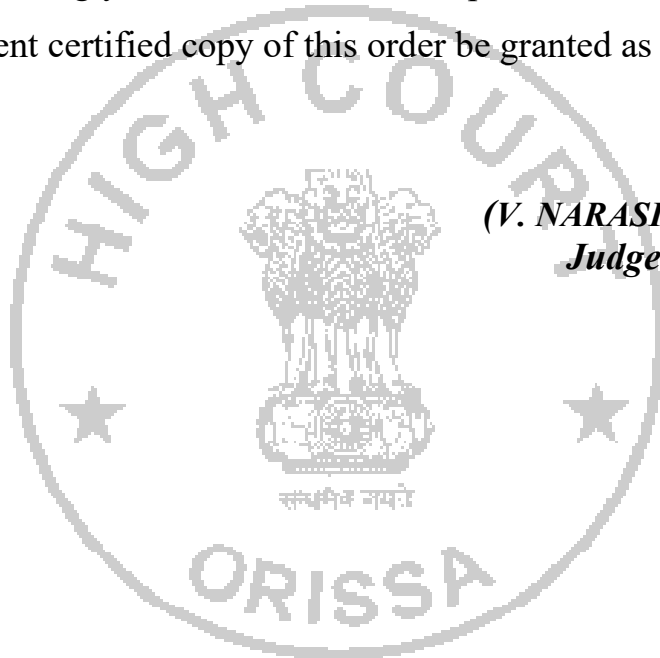
7. Considering the same and keeping in view the punishment prescribed and period of custody since 27.08.2022 and that the petitioner is the first offender as claimed, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. While releasing the petitioner on bail, the learned Court below shall verify the criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled without any further reference to this Court

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge