

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8836 of 2022

***Tapa @ Topa @ Purushottam
Bhutia***

Petitioner

Mr. A.K. Nath, Advocate

-versus-

State of Odisha

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
23.12.2022**

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with C.T. Case No.273 of 2021, pending before the learned J.M.F.C., Reamal, arising out of Kundeigola P.S. Case No.150 of 2021, for alleged commission of offences under Sections 379/34 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Deogarh, by order dated 26.08.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner has been remanded in the case at hand and final form has been submitted on 28.07.2022.
5. It is the case of the petitioner that because of his criminal proclivity, he has been arrayed as an accused in the case at hand and

since the principal accused has already been enlarged on bail, his bail application may be favourably considered.

6. Learned counsel for the State opposes the prayer and submits that the petitioner has twenty criminal antecedents of similar nature. Hence, he ought not to be released on bail merely because the principal accused has been released on bail.

7. Considering the manner of implication in the case at hand and release of the principal accused, as stated, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

8. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before Angul Sadar police station twice every week till conclusion of trial and certification of such appearance shall be submitted to the learned Court in seisin through Email Id and the Email Id shall be mentioned in the release order.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha