

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8870 of 2022

Jiwan Lakra and others

....

Petitioners

Mr. S. Das, 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 petitioners and learned counsel for the State.
3. The petitioners are accused in connection with G.R. Case No.643 of 2022, pending in the Court of learned J.M.F.C., Barbil arising out of Rugudi P.S. Case No.65 of 2022, for alleged commission of offences under Sections 409/420/406/120-B/34 of IPC and is in custody since 15.08.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Champua by order dated 06.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel for the petitioners that co-accused have been released on anticipatory bail by this

Court by orders dated 05.09.2022 in ABLAPL No.10352 of 2022, order dated 06.09.2022 in ABLAPL No.10462 of 2022, order dated 26.09.2022 and also submitted that co-accused have been released on bail by this Court by order dated 26.09.2022 in BLAPL No.8938 and 8911 of 2022.

7. Taking into account the nature of allegations, the role ascribed to the petitioners and release of the co-accused persons as noted above and the petitioner are the first offender as stated, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. While enlarging the petitioners on bail the learned court below shall verify assertion regarding their criminal proclivity. If it comes to the fore that the petitioners have any criminal antecedent this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi