

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8960 of 2022

Sanjay Prasad Yadav

....

Petitioner

Mr. S.S. Ray (2), Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.10.2022

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 G.R Case No.1091 of 2022 pending in the file of learned S.D.J.M., Sundargarh, arising out of Sadar P.S Case No.164 of 2022, for commission of offence under Sections 294/323/436/506 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Sundargarh by order dated 26.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 24.07.2022 and the charge sheet having been filed on 04.08.2022, further continuance of the Petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail and submits that since the Petitioner has criminal proclivity, the Petitioner ought not to be released on bail notwithstanding the submission of the charge sheet.

7. Taking into account the nature of allegation and that there is no injury pursuant to the allegation under Section 436 IPC, this Court is persuaded to direct 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 proclivity of the Petitioner, additionally it is directed that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter twice every week till conclusion of trial. The date and time to be fixed by the learned Court in seisin over the matter. Certification of such appearance shall be submitted to 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.

(V. NARASINGH)
Judge

PKS