

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8978 of 2022

Balia @ Balaram Rout

....

Petitioners

Mr. K.K. Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

14.10.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and the learned counsel for the State.
3. The Petitioner is an accused in G.R. Case No.2204 of 2022 pending in the file of learned J.M.F.C (R), Cuttack, arising out of Jagatpur P.S Case No.359 of 2022, for commission of offences under Sections 379/34 IPC and is in custody since 26.08.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Addl. Sessions Judge, Cuttack by order dated 12.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account the nature of allegation and that the Petitioner is in custody since 26.08.2022, the Petitioner seeks release on bail.

6. Learned counsel for the State opposes the prayer for bail of the Petitioner, inter alia, on the ground that the investigation is yet to be concluded and that the Petitioner has criminal proclivity.

7. Considering the nature of allegation and the period of custody, 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. Additionally, it is directed that the Petitioner shall appear before the Investigating Officer once every week till submission of final form and thereafter once every month till conclusion of trial. The date and time to be fixed by the learned Court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS

