

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9058 of 2022

Krushna Chandra Panda

....

Petitioner

Mr. S. Rath, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.10.2022

Order No.

03.

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.446 of 2022 pending in the file of learned J.M.F.C., Konark, arising out of Gop P.S Case No.229 of 2022, for commission of the alleged offence under Sections 294/341/323/354/354-B/307/506/34 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Nimapara by order dated 13.09.2022 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 23.08.2022 and since investigation has progressed substantially, further continuance of the Petitioner in custody is unwarranted. It is also stated that one of the injured

Kanakalata Panda has suffered injuries, which are categorized as simple and so far as injured-Ajay Panda is concerned, he has recovered and leading a normal life.

6. Learned counsel for the Petitioner submits that the Petitioner has been implicated because of his criminal proclivity and he is a handicapped person.

7. Learned counsel for the State opposes the prayer for bail, inter alia, on the ground of criminal proclivity of the Petitioner.

8. Taking into account that the investigation has progressed substantially and that injured are leading normal life, as stated at the Bar, 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.

9. Taking into account the criminal proclivity of the Petitioner, it is directed that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter once every week till submission of final form. The first 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. Any default shall entail cancellation of bail without further reference to the Court.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS