

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9081 of 2022

Rama Benia @ Kunu

....

Petitioner

Mr. D. Sethi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.09.2022

Order No.

01.

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 connection with G.R. Case No.112 of 2022, pending in the file of learned J.M.F.C., Kotpad, arising out of Kotpad P.S. Case No.117 of 2022, for offences under Section 394 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Jeypore, by order dated 11.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the Case Diary.
6. It is submitted by the learned counsel for the petitioner that taking into account the period of custody and substantial progress in investigation, the petitioner may be released on bail and more so when he has no criminal proclivity as stated in the petition.

7. Taking into account the age of the petitioner and that he is a first offender, 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.

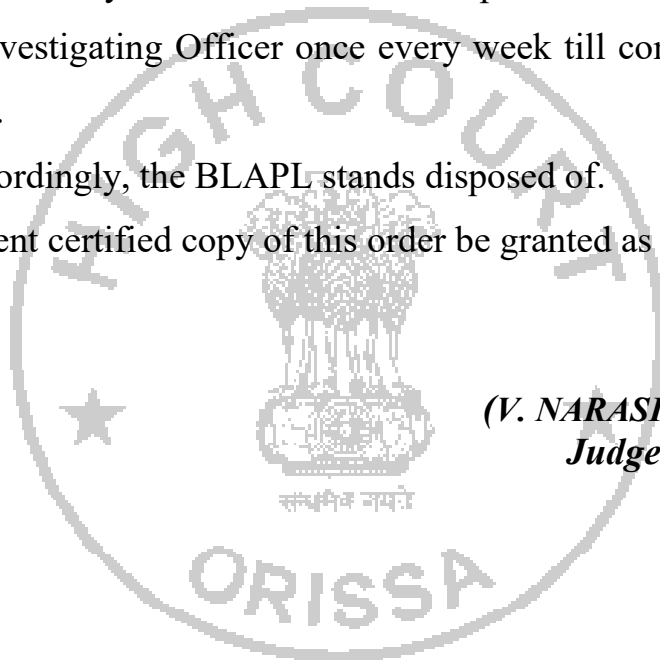
8. While releasing the petitioner on bail, the learned Court below shall verify the criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled without any further reference to this Court.

9. Additionally it is directed that the petitioner shall appear before the Investigating Officer once every week till conclusion of investigation.

10. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge