IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9120 of 2022

Tikan Samal .... ***Petitioner***

Mr. P.R. Singh, Advocate

-versus-

State of Orissa .... ***Opposite Party***

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.09.2022

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.204 of 2022, pending in the Court of the learned S.D.J.M., Hindol, arising out of Rasol P.S. Case No.80 of 2022, for offences under Sections 341/323/294/427/395/506 of IPC read with Section 3 of the Public Property (Prevention of Damage) Act.

4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Hindol, by order dated 14.09.2022 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the petitioner relying on the final form which is on record that the allegation against the petitioner is one under Section 412 of IPC and it is stated that since one of the co-accused Rajesh Kumar Shaw has since been released on bail by this Court in BLAPL No.4024 of

2022, further continuance of the petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the petitioner has criminal antecedents of similar nature.

7. Taking into account the release of the co-accused and the accusation of petitioner as made, 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. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once fifteen days till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha

HIGH COURT
सत्यमेव जयते
ORISSA