

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9293 of 2022

Sudam Sahoo

....

Petitioner

Mr. D.R. Mishra, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.09.2022

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.869 of 2022, pending in the file of learned S.D.J.M., Athamallik, arising out of Kishorenagar P.S. Case No.149 of 2022, for offences under Sections 448/294/323/324/307/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Athmallik, by order dated 13.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel for the petitioner that there has been case and counter case and the petitioner has been falsely implicated.
7. It is submitted that the injured Suresh Kumar Sahoo though has suffered grievous injury has recovered in the meanwhile

and leading a normal life and it is submitted as the petitioner in custody since 05.09.2022, hence further continuance of the petitioner in custody is unwarranted more so when he is a first offender.

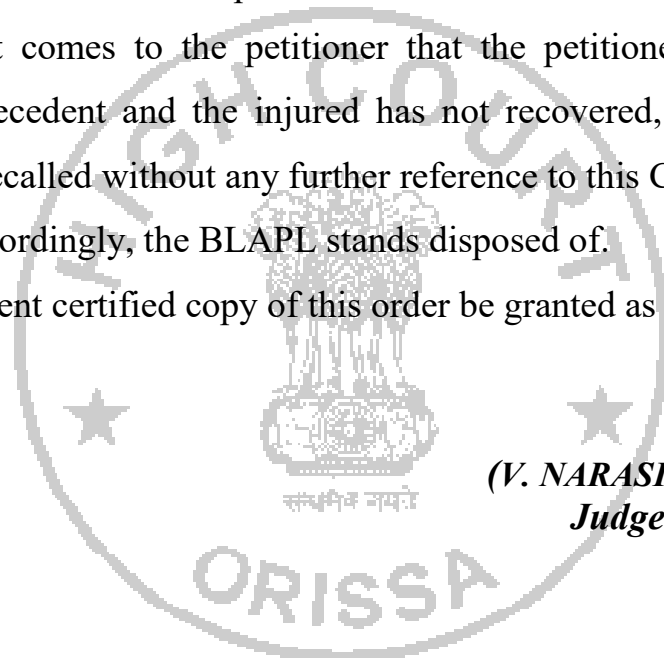
8. Considering the submission made, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. Additionally, it is directed that while releasing the petitioner on bail, the learned Court is requested to verify the criminal antecedent of the petitioner and also the welfare of the injured. If it comes to the petitioner that the petitioner has any criminal antecedent and the injured has not recovered, this order shall stand recalled without any further reference to this Court.

10. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge