

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9316 of 2022

Md. Pervez & others

....

Petitioners

Mr. D.K. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
10.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and learned counsel for the State.
3. The Petitioners are accused in G.R. Case No.526 of 2022 pending in the file of learned J.M.F.C., Rajgangpur, arising out of Kutra P.S. Case No.119 of 2022, for offence under Sections 147/148/342/323/307/427/379/436/294/506/149 IPC and are in custody since 20.08.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Sundargarh 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 Petitioners that since the charge sheet has already been filed, further

continuance of the Petitioners in custody is unwarranted. It is stated that the injuries suffered are simple in nature and the co-accused persons have already been released on bail by the learned Sessions Judge, Sundargarh in Bail Application Nos.374 and 375 of 2022 by order dated 26.08.2022 respectively.

6. Learned counsel for the State opposes the prayer for bail, inter alia, on the ground of criminal proclivity of the Petitioners, which is clearly borne out from the case diary and the order of rejection.

7. Taking into account the release of the co-accused by the learned Sessions Judge, Sundargarh and filing of the charge sheet, this Court directs the Petitioners to be released on bail on such terms to be fixed by the learned court in seisin over the matter. Concerned expressed by the learned Public Prosecutor can be well addressed by putting the Petitioners to terms and accordingly additionally, it is directed that the Petitioners shall appear before the jurisdictional police station of the court in seisin over the matter once in every week till conclusion of trial.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS