

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9368 of 2022

Formen Benia

....

Petitioner

Mr. S. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

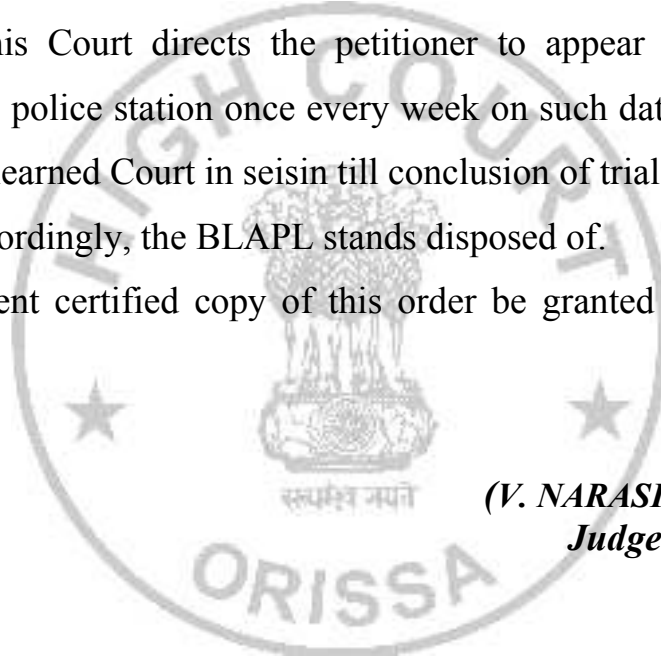
ORDER
24.11.2022

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.261 of 2022, pending in the file of learned J.M.F.C., Semiliguda, arising out of Sunabeda P.S. Case No.128 of 2022, for commission of alleged offences under Sections 392/34 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, Koraput by order dated 15.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel that the petitioner is in custody since 09.08.2022 and as charge sheet has already been filed on 07.10.2022, further incarceration of the petitioner is not warranted.

6. It is submitted by the learned counsel for the petitioner that cash of Rs.40,000/- (Rupees Forty Thousands) and a bike which was purchased from the perceive of the crime has also been seized.
7. Taking into accounts the substantial seizure, as noted and period of custody and filing of charge sheet, 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. To allay the legitimate concern expressed by the learned Public Prosecutor, keeping in view the criminal antecedent of the petitioner, this Court directs the petitioner to appear before the jurisdictional police station once every week on such date and time fixed by the learned Court in seisin till conclusion of trial.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per the rules.



(V. NARASINGH)
Judge