

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9447 of 2022

***Dipak Bhoi @ Deepak Bhoi @
Dipu and others***

Petitioners

Mr. S.P. Das, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
13.10.2022**

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 connection with G.R. Case No.78 of 2022, pending in the Court of learned J.M.F.C., Bhapur arising out of Fategarh P.S. Case No.79 of 2022, for alleged commission of offences under Sections 457/380 of IPC and is in custody since 27.05.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Khandapara by order dated 03.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that in the case at hand the petitioners though innocent have been remanded on account of their criminal proclivity.

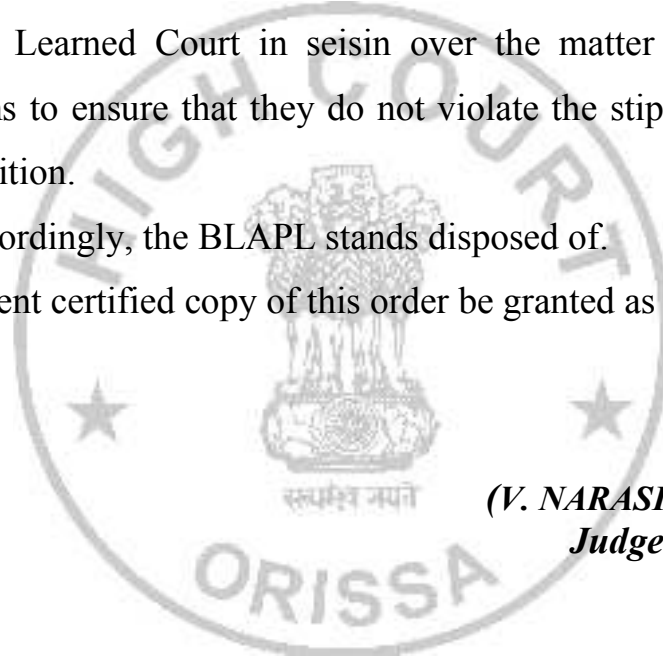
6. It is submitted by the learned counsel for the petitioners that co-accused has been released on bail by this Court by order dated 13.09.2022 in BLAPL No.8229 of 2022 and since charge sheet has already been filed, further continuance of the petitioners in custody is not warranted.

7. Taking into account the nature of allegation and filing of charge sheet and keeping in view the release of the co-accused, 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.

8. The Learned Court in seisin over the matter to fix the suitable terms to ensure that they do not violate the stipulations of the bail condition.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi