

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9465 of 2022

Santos @ Santosh Das

....

Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
17.10.2022

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.167 of 2022 pending on the file of learned J.M.F.C., Bhapur, Dist-Nayagarh, arising out of Fategarh P.S. Case No.174 of 2022, for alleged commission of offences under Sections 379 of IPC and is in custody since 10.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Khandapara by order dated 23.09.2022 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 on the basis of recitals in the rejection order that out of the amount Rs.50,000/- (Rupees Fifty Thousand) involved in the crime Rs.49,800/-(Rupees Forty-Nine Thousand Eight Hundred) has been

recovered in the meanwhile, further continuance of the petitioner in custody is not warranted.

7. Learned counsel for the State opposes the prayer for bail.

8. Considering the nature of allegations and recovery of the almost entire proceeds of the crime, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

9. Keeping in view the nature of allegations, this Court directs the petitioner to appear before the jurisdictional police station once every week till the submission of final form.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

