

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9480 of 2022

Anil Pradhan @ Tulu

....

Petitioner

Mr. M.K. Mohapatro, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, 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.2031 of 2022 pending on the file of learned S.D.J.M., Talcher, arising out of Colleiry P.S. Case No.436 of 2022, for alleged commission of offences under Sections 457/392/34 of IPC and is in custody since 02.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Talcher by order dated 08.09.2022 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 recovery of Rs.4,000/- from the petitioner and since he is a first offender, his case may be sympathetically considered.

7. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the manner in which the offence has been committed, the petitioner ought not to be released on bail during the pendency of investigation.
8. Considering the nature of allegations and that the petitioner is a young man of 25 years, this Court is persuaded to direct his release. Learned counsel in seisin over the matter to fix the terms.
9. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stands recalled.
10. Accordingly, the BLAPL stands disposed of.
11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge