

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 9521 of 2022**

***Bidya Giri & Another***

....

***Petitioners***

Mr. S.K. Mahanty, Advocate

***-versus-***

***State of Odisha***

....

***Opposite Party***

Mr. K.K. Gaya, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**18.10.2022**

**Order No.**

**01.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. The petitioners are an accused in connection with G.R. Case No.382 of 2022, pending in the Court of learned J.M.F.C., Buguda, arising out of Buguda P.S. Case No.394 of 2022, for commission of offences under Section 457/380 of IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bhanjanagar, by order dated 22.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that co-accused has released on anticipatory bail by this Court by order dated 16.09.2022 in ABLAPL No.11424 of 2022 and charge-sheet has been filed on 30.09.2022, their further continuance in custody is unwarranted.

6. Learned counsel for the State on the other hand submits that since the petitioners are a flight risk and it will not be possible to ensure their presence for which the trial cannot proceed.

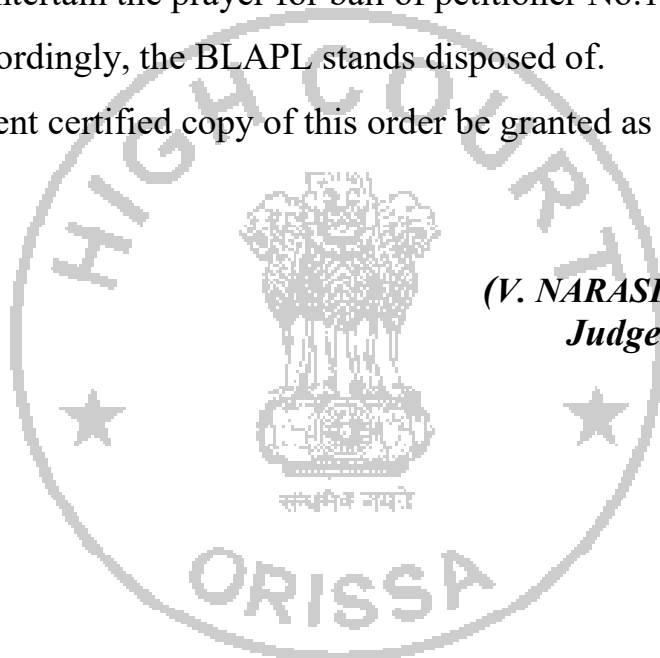
7. Taking note of such submission and considering the age of the petitioner No.2, this Court directs the petitioner No.2 to be released on bail. Learned Court in seisin over the matter shall fix the terms so as to ensure the presence of the petitioner No.2 on each date of trial.

8. Keeping in view the nature of allegation, this Court is **not inclined** to entertain the prayer for bail of petitioner No.1.

9. Accordingly, the BLAPL stands disposed of.

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

*Ayesha*



**(V. NARASINGH)**  
**Judge**