

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9533 of 2022

Ranjan Kumar Nayak

....

Petitioner

Mr. S.J. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

30.11.2022

Order No.

02.

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 C.T. Case No.5226 of 2022, pending on the file of learned S.D.J.M., Bhubaneswar, arising out of Sahid Nagar P.S. Case No.409 dated 29.08.2022, for commission of alleged offences under Section 341/323/353/307/294/506/34 of IPC and Section 25/27/35 of the Arms Act and is in custody since 29.08.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 3rd Additional Sessions Judge, Bhubaneswar by order dated 20.09.2022 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 29.08.2022 and as charge sheet has already been

filed on 27.10.2022 and no one has been injured by the alleged overt act of the petitioner, hence he may be released on bail.

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

7. Considering the period of custody and submission of the learned counsel for the petitioner that he has no antecedent, and filing of charge sheet, as noted, 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. While releasing the petitioner on bail, the learned Court below shall verify assertion regarding criminal antecedent of similar nature. If it comes to the fore that the petitioner has such criminal antecedent, this order shall stand recalled without any further reference to this Court.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi