

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9638 of 2022

***Tapa @ Topa @ Purusottam
Bhutia***

Petitioner

Mr. A.K. Nath, Advocate

-versus-

State of Odisha

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
12.12.2022**

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in G.R. Case No.394 of 2022, pending before the Court of the learned S.D.J.M., Athmallik, arising out of Kiakata P.S. Case No.03 of 2022, for commission of alleged offences under Section 379 of IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Athmallik, by order dated 13.09.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that because of the criminal proclivity of the petitioner, he has been remanded in the case at hand on 30.08.2022 and as in the meanwhile charge-sheet has been filed on 27.10.2022, his further continuance in custody is unwarranted.

5. Learned counsel for the State opposes the prayer for bail keeping in view the criminal antecedents of the petitioner.

6. Taking into account the basis of implication being on the ground of confessional statement of the co-accused and the period of custody, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.
7. Keeping in view the criminal proclivity of the petitioner, it is additionally directed that the petitioner shall appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin till conclusion of trial.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Ayesha

