

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9670 of 2022

Sagar Naik & another

....

Petitioners

Mr. J.R. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

23.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and the learned counsel for the State.
3. The Petitioners accused in G.R. Case No.686 of 2022 pending on the file of learned S.D.J.M, Athamallik, arising out of Thakurgad P.S. Case No.175 of 2022, for commission of offence under Sections 450/395 IPC and Sections 25/27 of the Arms Act.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Athmallik by order dated 02.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioners that the Petitioners are in custody since 19.08.2022 and since investigation has substantially progressed, their further continuance in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail during currency of the investigation and relying on the order of rejection and recitals in the case diary that the Petitioners have criminal antecedents.

7. Taking into account the nature of allegation in the case at hand and considering the age of the Petitioners, this Court directs the Petitioners to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

8. Keeping in view the criminal proclivity, additionally it is directed that the Petitioners shall appear before the I.O once every week till submission of final form.

9. Accordingly, the BLAPL stands disposed of.

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

PKS

(V. NARASINGH)
Judge

