

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9679 of 2022

***Kanha @ Sanjib Kumar
Mandal***

....

Petitioner

Mr. M.K. Chand, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
15.11.2022**

Order No.

- 03.
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 G.R. Case No.2058 of 2022 pending on the file of learned J.M.F.C (R), Cuttack, arising out of Olatpur P.S. Case No.82 of 2022, for commission of offence under Sections 379/420 IPC.
 4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Addl. Sessions Judge, Cuttack by order dated 26.09.2022 in the aforementioned case, the present BLAPL has been filed.
 5. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 19.08.2022 and since charge sheet has already been filed on 31.10.2022, his further continuance in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail, inter alia, on the ground of criminal antecedent of similar nature.

7. Taking into account the filing of the charge sheet in the case at hand, 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. Keeping in view the criminal proclivity, as stated, additionally, it is directed that the Petitioner shall appear before the jurisdictional police station of the learned Court in seisin twice every week till conclusion of trial. The first date and time to be fixed by the learned Court in seisin over the matter. Certification of such appearance shall be submitted to the learned Court in seisin over the matter. Any default shall entail cancellation of bail without further reference to the Court.

9. The BLAPL thus stands disposed of.

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

(V. NARASINGH)
Judge

PKS