

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9811 of 2022

Panchanan Behera @ Panchu

Petitioner

Mr. S.B. Jena, Advocate

-versus-

State of Odisha

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.10.2022

Order No.

01. 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.1083 of 2022 pending in the file of learned S.D.J.M., Cuttack, arising out of Cantonment P.S Case No.122 of 2022, for commission of offence under Section 379/34 IPC and is in custody since 23.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge-cum-Special Judge, Vigilance, Cuttack by order dated 29.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel for the Petitioner that on a bare perusal of the order of rejection it can be seen that the basis of implication of the Petitioner on account of the co-accused

statement and admittedly there has been no recovery from the present Petitioner.

7. Taking into account the period of custody, nature of allegation and the punishment prescribed, 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. Additionally, it is directed that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter once every week till submission of final form. The date and time to be fixed by the learned Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS

