

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9865 of 2022

Tankadhar Bisi & Another ***Petitioners***

Mr. R.K. Acharya, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are an accused in connection with C.T. Case No.541 of 2022, pending in the Court of learned S.D.J.M., Bhawanipatna, arising out of Bhawanipatna Sadar P.S. Case No.169 of 2022, for alleged commission of offences under Section 379/34 of IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Kalahandi, Bhawanipatna, by order dated 13.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that the petitioners were remanded to custody on 04.06.2022, only on account of their criminal proclivity.

6. It is further submitted that admittedly there is no seizure from the petitioners. Hence, further continuance of the petitioners in custody is not warranted since final form has already been submitted on 21.06.2022.

7. Learned counsel for the State on the basis of order of rejection opposes the prayer for bail inter alia on the ground that the petitioners are involved in series of cases of similar nature.

8. Taking into account the manner of implication in the case at hand and the period of custody, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter.

9. Additionally it is directed that the petitioners shall appear before the jurisdictional police station twice every week till conclusion of trial. The date and time of appearance to be fixed by the learned Court in seisin over the matter.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha