

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9921 of 2022

Ramesh Bastia and another

....

Petitioners

Mr. R.K. Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.12.2022

Order No.

02.

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. The petitioners are accused in G.R. Case No.1119 of 2022, pending in the file of learned S.D.J.M., Balangir, arising out of Deogaon P.S. Case No.126 of 2022, for commission of alleged offences under Sections 394/34 of IPC.
3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Balangir by order dated 19.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel for the petitioners that though petitioners are innocent but due to criminal proclivity, he has been remanded in the case at hand.
5. Learned counsel for the State on the basis of rejection order refutes such submission of the learned counsel for the petitioners and submits that prima facie since petitioners are

history-sheeters, they ought not to be released on bail during currency of investigation.

6. Taking into account the nature of allegation and the punishment prescribed and as the petitioners have remanded in this case on 13.09.2022, 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.

7. Additionally, it is directed that the petitioners shall appear before the I.O. once every week till submission of final form.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

