

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9936 of 2022

Akash Saha

....

Petitioner

Mr. B.K. Ragada, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, 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 petitioner and learned counsel for the State.
3. The petitioner is an accused in Crl. T(Sessions) Case No.59 of 2022, pending in the file of learned Sessions Judge, Jharsuguda, arising out of Jharsuguda P.S. Case No.162 of 2022, offence under Sections 450/394 of IPC and is in custody since 21.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Jharsuguda 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 21.07.2022 and charge sheet has already been filed on 29.08.2022 and since the petitioner is first offender, he may be released on bail.

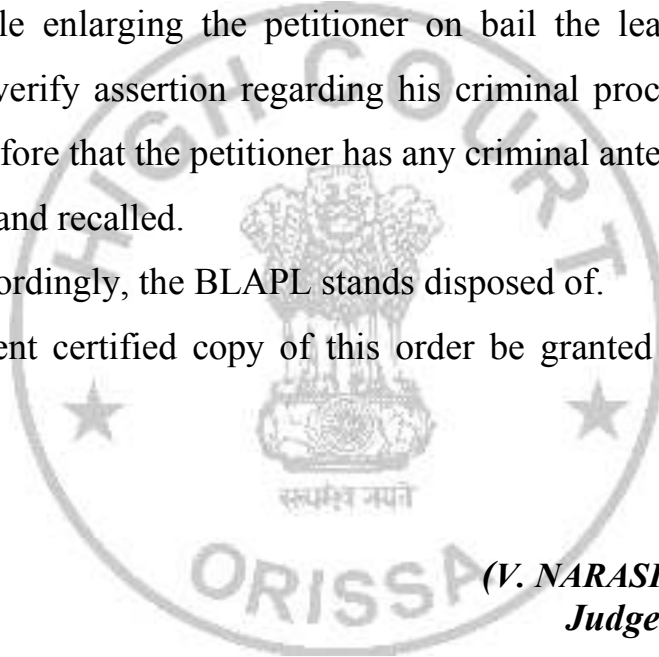
6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the petitioner is identified in the T.I. parade. So merely because charge sheet has been filed, he ought not to be released on bail at this stage.

7. Considering the submission of the learned counsel for the petitioner that petitioner is a first offender and taking into account his age, 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. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi