

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9987 of 2022

Tipu @ Sultan Behera

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

Mr. P.K. Nayak, Adv. (Informant)

CORAM: JUSTICE V. NARASINGH

ORDER
15.11.2022

Order No.

- 02.
1. This matter is taken up through hybrid mode.
 2. Heard learned counsel for the Petitioner, learned counsel for the State and the learned counsel for the Informant.
 3. The Petitioner is an accused in G.R. Case No.1994 of 2022 pending on the file of learned S.D.J.M, Berhampur, arising out of Baidyanathpur P.S. Case No.291 of 2022, for commission of offence under Sections 147/148/326/324/307/506/149 IPC and Section 27 of the Arms Act.
 4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Addl. Sessions Judge, Berhampur 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 since the Petitioner is in custody since 24.08.2022, his further continuance in custody is unwarranted.

6. Per contra, learned counsel for the State as well as learned counsel for the Informant submit that the victim is still undergoing treatment and in view of the criminal proclivity of the Petitioner, he ought not to be released on bail.

7. Taking into account the statement of the victim attributing the overt act to the Petitioner and keeping in view the criminal proclivity, this Court is not inclined to release the Petitioner on bail.

8. Accordingly, BLAPL stands rejected.

PKS

