

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9990 of 2022

Prabesh Kumar Mohapatra

Petitioner

Mr. A.N. Samantaray, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.10.2022

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.677 of 2022, pending in the file of learned J.M.F.C., Erasama, arising out of Abhayachandpur P.S. Case No.351 of 2022, offence under Sections 420/419/468/471 of IPC and is in custody since 29.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Kujang by order dated 05.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that he is in custody since 29.09.2022 and charge sheet has already been filed on 09.10.2022 and on instructions submits that co-accused

similarly circumstanced have already been released on bail by the learned Court in seisin over the matter. Hence further continuance of the petitioner in custody is not warranted.

6. Taking into account the nature of allegations that the petitioner forged the gate pass to enter the IOCL and keeping in view the period of custody and filing of charge sheet, 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.

7. Keeping in view the criminal proclivity of the petitioner as stated by the learned Public Prosecutor, this Court directs the petitioner to appear before the jurisdictional police station once every week till conclusion of trial. First date and time of such appearance shall be fixed by the learned Court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge