

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10008 of 2022

Labendra Behera

....

Petitioner

Mr. M.K. Pati, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
31.10.2022

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 connection with G.R. Case No.191 of 2022, pending in the Court of the learned J.M.F.C., Saintala, Bolangir, arising out of Saintala P.S. Case No.196 of 2022, for alleged commission of offences under Section 365/34 of IPC read with Section 25/27 of Arms Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Titilagarh, by order dated 27.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. This is the 2nd journey of the petitioner to this Court.

6. Earlier this Court by order dated 26.08.2022 in BLAPL No.7656 of 2022, granted bail to the petitioner subject to verification of criminal antecedents.
7. Since the petitioner has criminal antecedents and his bail application having been rejected, he has filed the present bail application.
8. Perused the order of rejection.
9. It is submitted by the learned counsel for the petitioner that notwithstanding the criminal antecedents, the case at hand has been settled on the intervention of the well-wishers and has placed on record an affidavit filed to that effect before the Court in seisin.
10. Taking into account such affidavit and keeping in view that the petitioner is in custody since 27.07.2022, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.
11. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station once every 15 (fifteen) days till submission of final form. The date and time of appearance of the petitioner to be fixed by the learned Court in seisin over the matter.
12. Accordingly, the BLAPL stands disposed of.
13. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha