

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10014 of 2022

Budhia @ Kamalkanta Das ***Petitioner***

Mr. D. Behuray, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

09.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in C.T. Case No.767 of 2022, pending before in the Court of learned J.M.F.C., Soro, arising out of Khaira P.S. Case No.203 of 2022, for commission of alleged offences under Sections 392 of IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Soro, by order dated 26.09.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted that the petitioner is in custody since 25.08.2022 and as investigation has progressed substantially, further continuance of the petitioner in custody is unwarranted.

5. Learned counsel for the State opposes the prayer for bail inter alia on the ground that since the petitioner has criminal antecedent of similar nature, he ought not to be released on bail during the currency of investigation.

6. Taking into account the nature of allegations in the case at hand, 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. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Ayesha

