

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10025 of 2022

Rakesh Nayak @ Rakesh Naik

Petitioner

Mr. A. Pattnaik, Advocate

-versus-

State of Odisha

Opposite Party

Mr. K.K. Gaya, 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.192-A, pending in the file of the learned S.D.J.M., Banki, arising out of Baideswar P.S. Case No.58 of 2020, for alleged commission of offences under Sections 457/395/412 of IPC read with Section 25 of Arms Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Cuttack, by order dated 22.04.2021 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner has been remanded in this case on 18.03.2021 and

since preliminary charge-sheet has been filed on 18.03.2022, his further continuance in custody is unwarranted.

6. It is also submitted that the co-accused persons whose bail application was rejected along with present petitioner, has since granted bail by this Court by order dated 25.07.2022 in BLAPL No.5470 of 2021 and by order dated 22.12.2021 in BLAPL No.3872 of 2021 and it is further stated that the co-accused, who has since been released on bail in BLAPL No.5470 of 2021, was identified in the T.I. Parade.

7. Taking into account the release of the co-accused and the manner in which the petitioner has been implicated in the case at hand, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every 15 (fifteen) days till conclusion of trial. The date and time of such appearance of the petitioner to be fixed by the learned Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha