

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10055 of 2022

SK. Idu @ SK. Idris

....

Petitioner

Mr. P. Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

22.12.2022

I.A. No.2133 of 2022

Order No.

05.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Learned counsel for the petitioner submits that he does not want to press this I.A.
3. Accordingly, the I.A. stands disposed of as not pressed.

(V. NARASINGH)

Judge

BLAPL No. 10055 of 2022

Order No.

06.

1. The petitioner is accused in C.T. Case No.1352 of 2022, pending on the file of the learned J.M.F.C., Chandikhole, arising out of Dharmasala P.S. No.485 of 2022, for commission of alleged offences under Sections 457/380 of IPC.
2. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions

Judge, Jajpur, by order dated 29.09.2022 in the aforementioned case, the present BLAPL has been filed.

3. Learned counsel for the petitioner relies on the order passed by this Court in respect of the co-accused dated 01.12.2022 in BLAPL No.9405 of 2022 and submits that co-accused with greater complicity have since been released on bail. Hence he seeks release.

4. It is submitted that the petitioner is in custody since 02.09.2022 and charge sheet has already been filed on 31.10.2022, his further continuance in custody is not warranted.

5. Learned counsel for the State though submits that the petitioner is prima facie similarly placed, keeping in view his criminal proclivity he be put to terms.

6. Considering the release of the co-accused and the period of custody and nature of allegations, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

7. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin till conclusion of trial. Certification of such appearance shall be submitted before the learned Court in seisin.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi