

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9044 of 2021

Nazrul Seikh

....

Petitioner

Mr. J.Mohapatra,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

03.01.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard Mr. J.Mohapatra, learned counsel for the Petitioner and Mr. P.Tripathy, learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 18th August 2021 in connection with Kuakhia P.S. Case No.273/2021 corresponding to C.T. Case No.1691/2021 pending in the court of learned S.D.J.M., Jajpur for the alleged commission of the offence under Section 457/395 of IPC.

4. The prosecution allegation is that on 18th August, 2021 the Petitioner along with three other persons entered into the jewelery shop of the informant after cutting the iron grill of its window using gas cutter and stole gold ornaments and cash from the shop. The present Petitioner and one Raju Saha were identified in the T.I. parade conducted by the learned J.M.F.C., Jajpur during investigation.

5. Learned counsel for the Petitioner submits that the Petitioner has been falsely entangled in this case and the so called T.I. parade was not conducted in accordance with law. That apart, it is also submitted that the Petitioner has no criminal antecedents.

6. Learned Addl. Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that there is no reason to doubt the authenticity and validity of the T.I. parade conducted by learned J.M.F.C., Jajpur from which the complicity of the present Petitioner can be ascertained.

7. Having regard to the submissions made, the materials on record and the fact that most of the stolen articles have been recovered, I am inclined to release the Petitioner on bail.

8. Let the Petitioner- Nazrul Seikh be released on bail in the aforesaid case by the court in seisin over the matter on the following conditions:-

(i) He shall furnish bail bond for Rs.50,000/- (rupees fifty thousand) with two sureties, each for the like amount to the satisfaction of the court with one of them belonging to Jajpur District;

(ii) He shall appear before the IIC of Kuakhia P.S. once every fortnight till submission of final form; and

(iii) He shall not leave the territorial jurisdiction of the court in seisin over the matter without seeking leave of such court.

9. The BLAPL is disposed of.

10. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge