

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10155 of 2022

Jitu @ Jitendra Behera

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.11.2022

Order No.

03.

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 G.R. Case No.04 of 2021 pending on the file of learned S.D.J.M., Hindol, arising out of Balimi P.S. Case No.01 of 2021, for commission of offence under Sections 341/427/435/506/34 IPC and Sections 25/27 of the Arms Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Asst. Sessions Judge, Hindol by order dated 22.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 20.08.2022 and as charge sheet has been filed on 26.10.2022, his further continuance in custody in the

present case is not warranted in which the basis of implication is his confessional statement since FIR was filed against unknown accused persons.

6. Learned counsel for the State though does not refute the same but states that on the basis of materials on record the implication of the Petitioner is clearly established and keeping in view the criminal antecedent, he ought not to be released on bail merely because charge sheet has been filed.

7. Considering the implication of the Petitioner on his confessional statement, 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.

8. Keeping in view the criminal proclivity, additionally, it is directed that the Petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS