

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9082 of 2021

Biswajit Giri

....

Petitioner

Mr. R.K. Mahanta, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. A. Pradhan,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
04.01.2022

Order No.
02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 09.08.2021 in connection with Ghagarbeda P.S. Case No.55 of 2021 corresponding to C.T. Case No.638 of 2021 pending in the court of learned S.D.J.M., Karanjia for the alleged commission of offence under Sections 399/402 of IPC read with Section 25 of the Indian Arms Act.
4. It is submitted that the co-accused persons have already been released on bail by order passed by this Court vide order dated 10.11.2021 passed in BLAPL No. 8391 of 2021, order dated 22.11.2021 passed in BLAPL No. 8163 of 2021 and order dated 10.11.2021 passed in BLAPL No. 8394 of 2021.
5. Learned Additional Standing Counsel for the State has opposed the prayer for bail by submitting that the petitioner stands on a different footing than the other co-accused persons

inasmuch as a pistol was recovered from his possession and further he has several criminal antecedents to his name.

6. Having considered the rival submissions, the materials on record, the period of detention already undergone and the fact that the co-accused persons have already been released on bail, I find no justified reason to deny bail to the petitioner. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

7. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge

