

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No 9091 of 2021

Kabiraj Jena

....

Petitioner

Mr. A.R. Panda, 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 24.08.2021 in connection with Madanpur Rampur P.S. Case No. 88 of 2021 corresponding to C.T. Case No. 176 of 2021 of the court of learned J.M.F.C., M. Rampur for the commission of offence under Section 395 of the IPC.
4. It is alleged that the petitioner and several other persons committed dacoity on 05.05.2021 at night by assaulting the driver of the vehicle.
5. It is submitted by learned counsel for the petitioner that basing on the co-accused statement, the petitioner has been entangled in the case even though nothing was recovered from his possession nor any TI parade was held.
6. Learned Additional Standing Counsel for the State has opposed the prayer for bail by submitting that there are

adequate materials on record to show the complicity of the petitioner in the occurrence.

7. Considering the submissions made, the materials on record, the period of detention already undergone and the fact that nothing was seized from the possession of the petitioner nor any TI parade was conducted, I am inclined to allow the prayer for bail. 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.

8. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge