

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10245 of 2022

Jaga @ Jagannath Behera

....

Petitioner

Mr. S.S. Ray (2), Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.11.2022

Order No.

02.

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 connection with G.R. Case No.1232 of 2021, pending on the file of the learned J.M.F.C., Aska, arising out of Aska P.S. Case No.654 of 2021, for alleged commission of offences under Sections 394/427 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Aska, by order dated 26.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the co-accused with greater complicity has been released on bail by this Court by order dated 02.06.2022 in BLAPL No.4764 of 2022,

hence further continuance of the petitioner in custody is unwarranted.

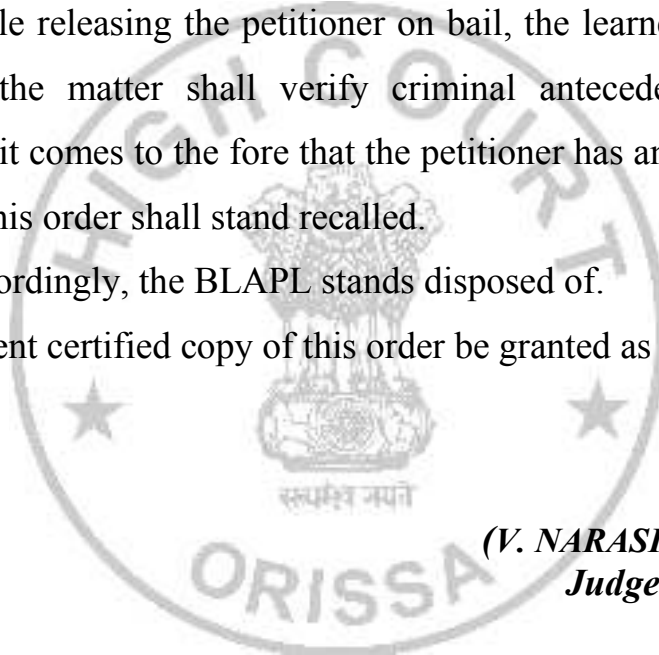
6. Learned counsel for the State opposes the prayer for bail relying on the order of rejection.

7. Taking into account the release of the co-accused as noted and considering the submission of the learned counsel for the petitioner on instruction that the petitioner has no criminal proclivity, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. While releasing the petitioner on bail, the learned court in seisin over the matter shall verify criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent, this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Ayesha