

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10273 of 2022

Rajesh Nahak

....

Petitioner

Mr. S.S. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.R. Mohapatra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
10.11.2022

Order No.

01.

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.426 of 2021, pending in the Court of the learned J.M.F.C., Kodala, Ganjam, arising out of Kodala P.S. Case No.488 of 2021, for alleged commission of offences under Sections 147/148/452/294/323/379/427/436/506/149 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Kodala, Ganjam, by order dated 26.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Taking into account the submission made at the bar that no one has suffered any injury on account of the offence alleged under Section 436 of IPC and keeping in view that the petitioner is in custody since 20.09.2022, 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..

7. To allay the legitimate apprehension of the learned counsel for the State that releasing the petitioner at this stage will affect the ongoing trial, it is directed that the petitioner shall appear before the Investigating Officer once every week on such date and time to be fixed by the learned Court in seisin over the matter till submission of final form.

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.

Ayesha

