

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10299 of 2022

Babu Chhua @ Ashit Singh ***Petitioner***

Mr. A.R. Panda, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. P.K. Maharaj, 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 C.T. Case No.2572 of 2014, pending in the file of learned S.D.J.M., Balasore, arising out of Balasore Town P.S. Case No.270 of 2014, for commission of alleged offence under Sections 399/402 of IPC and is in custody since 02.10.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Balasore by order dated 14.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by Mr. Panda, learned counsel for the petitioner that petitioner was released on bail on 11.03.2015 by the learned Court in seisin and till 02.08.2022 he was regularly appearing in the Court.

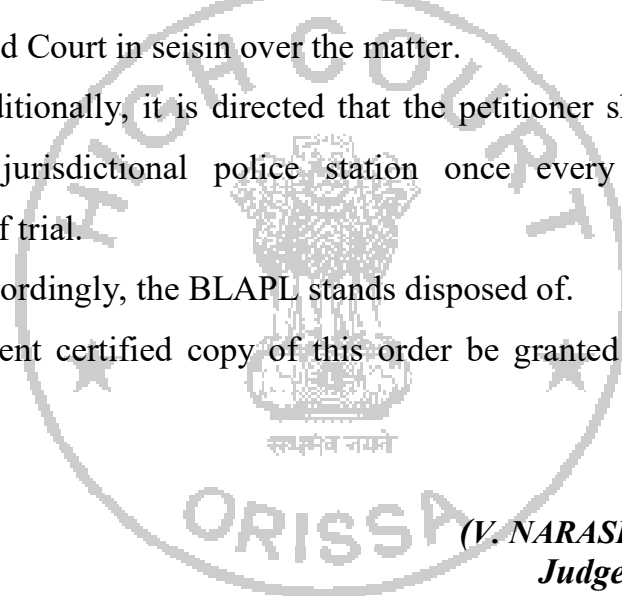
7. On 02.08.2022 because of circumstances beyond his control, he could not appear for which NBW(A) was issued and on the basis of which he has been remanded to custody on 02.10.2022. It is submitted on instructions that from 02.08.2022 till the period, he was taken into custody, the petitioner has not involved himself in any other criminal case.

8. Taking into account that the petitioner appeared from 2015 till 2022 and considering the submission that the non-appearance on the date fixed that is 02.08.2022 was unintentional, 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.

9. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per the rules.



Santoshi