

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10319 of 2022

Prasanna Bag and another ***Petitioners***

Mr. J. Behera, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

11.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in G.R. Case No.701 of 2022, pending in the file of learned S.D.J.M., Patnagarh arising out of Belpada P.S. Case No.159 of 2022, for alleged commission of offence under Sections 448/323/379/294/506/34 of IPC and are in custody since 30.09.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Patnagarh by order dated 15.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Learned counsel for the petitioners has placed on record the injury report of the injured Lochan Putel.

7. On perusal of the same, it is seen that though the said Lochan Putel has suffered multiple injuries, the same have been categorized as simple.

8. Taking into account the background in which the accusation has been made and the injury report which is on record and considering the period of custody and substantial progress in investigation, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. While enlarging the petitioners on bail the learned court below shall verify assertion regarding their criminal proclivity. If it comes to the fore that the petitioners have any criminal antecedent this order shall stand recalled.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge