

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9276 of 2021

Rajan Sanyasi

....

Petitioner

Mr. A.K.Budhia
Advocate

-versus-

State of Odisha

....

Opposite Party

Miss.S.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.01.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard Mr. A.K.Budhia, learned counsel for the Petitioner and Miss.S.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 10th August, 2021 in connection with Lahunipada P.S. Case No.103/2021-22 corresponding to G.R. Case No.403/2021 pending in the court of learned S.D.J.M., Bonai for the alleged commission of the offence under Sections 379/413/120-B of I.P.C.

4. The prosecution allegation is that the Petitioner, who is the owner of a stone crusher, was involved in breaking down a tipper to scrap for being sold to scrap dealers and in such work he was assisted by several persons. It is submitted by learned counsel for the Petitioner that except for the allegation that the tipper in question was taken to the stone crusher of the Petitioner where the tipper was dismantled by using the gas cutter belonging to the stone crusher, there is no other material to show that the Petitioner is involved in the occurrence.

5. Learned Addl. Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that the Petitioner is a habitual offender having several criminal cases to his name.

6. Considering the submissions made, the materials on record, the period of detention already undergone and absence of any cogent material to show that the present Petitioner was directly involved in the occurrence, I am inclined to allow the prayer for bail.

7. Let the Petitioner- Rajan Sanyasi be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

