

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10337 of 2022

Partha Haldar

....

Petitioner

Mr. S.R.Mulia, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
13.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is accused in connection with G.R Case No.1273 of 2022, pending in the Court of the learned J.M.F.C. (City), Cuttack, arising out of Malgodown P.S. Case No.158 of 2022, for commission of the alleged offences under Sections 420/506 IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Addl. Sessions Judge, Cuttack, by order dated 18.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. Learned counsel for the Petitioner submits that the Petitioner is in custody since 25.09.2022 and as charge sheet has been filed since 21.11.2022, his further continuance in custody is not warranted.
5. Learned counsel for the State opposes the prayer.

6. Considering the nature of allegation, filing of the charge sheet and the period of custody, 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 so as to ensure his presence on each date of trial.

7. Since the Petitioner does not reside within the State of Odisha, additionally it is directed that the Petitioner shall furnish cash security of Rs.50,000/- (rupees fifty thousand) which shall be kept in a short term interest bearing account in the name of the court and the same shall be subject to the final outcome of the case and one of the sureties shall be immediate family member of the Petitioner.

8. Learned counsel for the Petitioner submits that he is not in a position to apprise this Court about the criminal antecedent of the Petitioner.

9. While releasing the Petitioner on bail, learned Court below shall verify assertion regarding **criminal antecedent of similar nature**. If the Petitioner has any such criminal antecedent, this order shall stand recalled without further reference to the Bench.

10. The BLAPL thus stands disposed of.

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

(V. NARASINGH)
Judge

PKS