

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.10339 of 2022**

***Babula Harijan***

....

***Petitioner***

Mr. A. Mishra, 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.94 of 2020 pending on the file of learned S.D.J.M., Jeypore, arising out of Baipariguda P.S. Case No.18 of 2020, for commission of offence alleged under Section 395 IPC and Section 25 of the Arms Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge-cum-Special Judge, Vigilance, Jeypore by order dated 13.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the charge sheet has been filed in the case at hand on 31.08.2021 showing the Petitioner as an absconder and he was subsequently arrested on

11.09.2022. It is submitted that the basis of implication of the Petitioner is on account of the co-accused statement.

5. Learned counsel for the Petitioner, on instruction, submits that since co-accused has since been released on bail, his further continuance in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail on account of criminal antecedent of the Petitioner.

7. Taking into account the release of the co-accused and the basis of implication, 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.

8. Keeping in view the criminal proclivity of the Petitioner, this Court directs the Petitioner to appear before the jurisdictional police station once every week till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)  
*Judge*

*PKS*