

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10411 of 2022

Raju @ Motu Majhi

....

Petitioner

Mr. T.K. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
14.11.2022

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 G.R. Case No.734 of 2022, pending in the file of learned S.D.J.M., Jeypore, arising out of Jeypore Sadar P.S. Case No.224 of 2022, for alleged commission of offence under Sections 457/380 of IPC and is in custody since 20.08.2022.
4. 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 29.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account the submission of the learned counsel for the petitioner that the implication was on the basis of the co-accused statement and considering the age of the petitioner (19 years), 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.

6. Since it is submitted that the petitioner is the first offender, the learned court below shall examine as to whether the petitioner is the first offender, as stated. If it comes to the fore that the petitioner has any criminal antecedent, this order shall stand recalled.

7. Accordingly, the BLAPL stands disposed of.

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

Santoshi

