

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10515 of 2022

Sunil Ghadia @ Chhotu Ghadia

Petitioner

Mr. S. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
14.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with G.R. Case No.144 of 2022, pending in the Court of the learned S.D.J.M., Sonapur, arising out of Sonapur P.S. Case No.160 of 2022, for alleged commission of offences under Section 395 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Sonapur, by order dated 06.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner is in custody since 03.08.2022 and on instruction submits that charge-sheet has been filed on 29.09.2022, hence further continuance of the petitioner in custody is unwarranted.
5. It is submitted that taking into account the nature of allegations, no case under Section 395 of IPC is prima facie made out against the petitioner.

6. On instruction, it is stated that the informant himself is an accused in Manamunda P.S. Case No.126 of 2022 and Binika P.S. Case No.186 of 2022 and it is stated that taking into account the character antecedents of the informant, the allegations as made, is highly improbable.

7. Learned counsel for the State opposes the prayer for bail on the ground that the petitioner has criminal antecedents of similar nature, though does not dispute that the informant is also a history sheeter.

8. Taking into account the filing of charge-sheet, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

9. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha