

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10555 of 2022

Dushmanta Kumar Naik

....

Petitioner

Mr. S.R. Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

17.11.2022

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 accused in G.R. Case No.442 of 2021 pending on the file of learned S.D.J.M., Hindol, arising out of Rasol P.S. Case No.138 of 2021, for commission of offence under Sections 379/34 IPC and Section 15(2)(4) of PMPL Act and Section 3/4 of the PDPP Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Hindol by order dated 17.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that though the Petitioner is innocent but because of his criminal antecedent, he has been remanded on 28.09.2022. Hence, keeping

in view the nature of allegation, his further continuance in custody is not warranted.

6. Learned counsel for the State relying on the order of rejection, opposes the prayer for bail as admittedly the Petitioner has number of criminal antecedents.

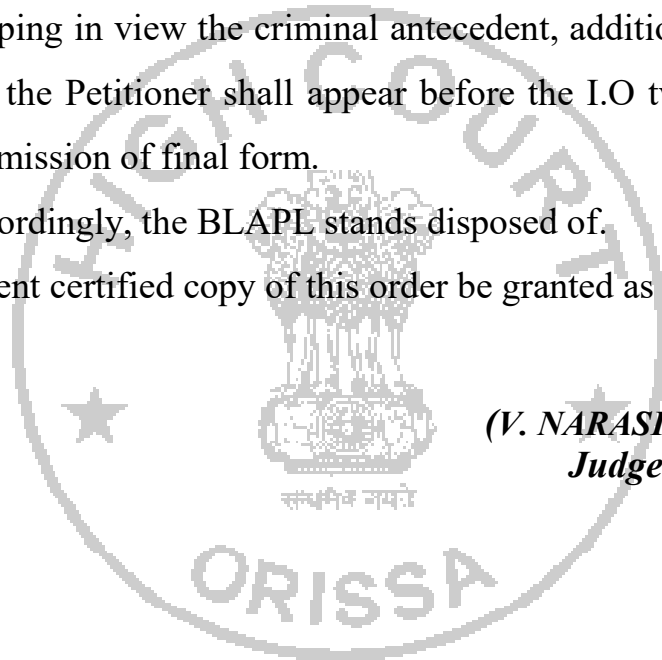
7. Taking into account the nature of allegation and the punishment prescribed, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

8. Keeping in view the criminal antecedent, additionally, it is directed that the Petitioner shall appear before the I.O twice every week till submission of final form.

9. Accordingly, the BLAPL stands disposed of.

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

PKS



(V. NARASINGH)
Judge