

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10565 of 2022

Nruparaj Mahananda

....

Petitioner

Mr. S. Dwibedi, 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 G.R. Case No.277 of 2022, pending in the file of learned J.M.F.C., Kantamal, arising out of Kantamal P.S. Case No.141 of 2022, for commission of alleged offences under Sections 394 of IPC.
3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Kantamal by order dated 19.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner is in custody since 01.10.2022 and charge sheet has been submitted on 25.11.2022, hence further continuance of the petitioner in custody is not warranted, keeping in view that robbery involves cash of Rs.6,050/- (Rupees Six Thousand Fifty).

5. Learned counsel for the State opposes the prayer for bail inter alia that the petitioner has criminal antecedents, referring to the order of rejection.

6. Per contra the learned counsle for the petitioner submits that the antecedent is not of similar nature in as much as the petitioner is accused of the offence under Section 498-A.

7. Learned counsel for the petitioner submits that co-accused similarly circumstanced has since been released on bail by this Court by order dated 24.11.2022 in BLAPL No.10783 of 2022.

8. Taking into account the nature of allegations against the petitioner, which is borne out from the 161 Cr.P.C. statement as annexed and release of the co-accused, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge