

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10573 of 2022

T. Babula & Another

....

Petitioners

Mr. S.K. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

21.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in connection with G.R. Case No.850 of 2022, pending in the Court of the learned J.M.F.C., Khallikote, arising out of Khallikote P.S. Case No.353 of 2022, for alleged commission of offences under Sections 457/380 of IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Khallikote, by order dated 25.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that the petitioners are taken into custody from 23.07.2022 and since charge-sheet has been filed on 31.07.2022, their further continuance in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail relying on the order of rejection, which indicates that the petitioners are accused in number of cases.

7. Learned counsel for the petitioners submit that after being taken into custody in the case at hand the petitioners have been remanded and the implication in the case at hand is on account of co-accused statement inasmuch as the FIR was against unknown persons.

8. Taking into account the period of detention and conclusion of investigation, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. Keeping in their criminal proclivity of the petitioners, it is directed that the petitioners 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