

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10592 of 2022

Raghunath Kumbhar

....

Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, 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 Petitioner and learned counsel for the State.
3. The Petitioner is an accused in G.R. Case No.1057 of 2021 pending on the file of learned J.M.F.C., Jeypore, arising out of Jeypore Town P.S. Case No.307 of 2021, for commission of offence under Sections 457/380/294/323/506/511 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Jeypore by order dated 08.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel for the Petitioner that the Petitioner has been taken on remand in the case at hand.

7. It is brought to the notice of the Court that the Petitioner was arrested in Jeypore Town P.S. Case No.274 of 2021 and by order dated 17.11.2022 though this Court had released the Petitioner on bail in BLAPL No.10547 of 2022 but he has been taken to custody.

8. Learned counsel for the State opposes the prayer for bail, inter alia, on the ground that keeping in view the conduct of the Petitioner and commencement of the trial, releasing the Petitioner at this stage would affect the impending trial.

9. Considering the release of the Petitioner in the case at hand and thereafter taken into custody, 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.

10. Additionally, it is directed that one of the sureties shall be the immediate member of the family and the Petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS