

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10636 of 2022

***Sujit Rout @ Sujit Kumar Rout
@ Mintu***

Petitioner

Mr. D. Sethi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
22.11.2022**

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 connection with G.R. Case No.939 of 2022, pending in the file of the learned S.D.J.M., Keonjhar, arising out of Pandapada P.S. Case No.61 of 2022, for alleged commission of offences under Section 394 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge (Vig), Keonjhar, by order dated 19.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that because of the criminal proclivity of the petitioner, he has been remanded in the case at hand on 16.07.2022 and it is stated that charge-sheet has been filed on 28.07.2022 under Section 394 of

IPC, hence further continuance of the petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer relying on the rejection order that the petitioner has twenty five criminal antecedents as revealed. Hence, merely because charge-sheet has been filed, the petitioner ought not to be released on bail at this stage as it will be difficult to ensure his presence during the trial.

7. Considering that in the case at hand, the petitioner has been remanded and charge-sheet has already been filed, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station thrice a week till conclusion of trial. The first date and time of appearance of the petitioner to be fixed by the learned Court in seisin over the matter and certification of such appearance shall be submitted to the learned Court.

9. It is needless to say that any violation regarding the appearance, shall entail cancellation without any further reference to this Court.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha