

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10640 of 2022

Ahmad Ali

....

Petitioner

Mr. S.R. Das, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, 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.1663 of 2022, pending in the Court of the learned S.D.J.M., Panposh, arising out of Sector-15 P.S. Case No.75 of 2022, for alleged commission of offences under Sections 489(A)/489(B)/489(C)/489(D)/120-B of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Rourkela, by order dated 28.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner on the basis of recitals in the FIR submits that even before circulation of the alleged fake Indian currency note, the petitioners along with his co-accused were

apprehended and it is submitted that there has been substantial progress in investigation, hence further continuance of the petitioner in custody is uncalled for.

6. Learned counsel for the State opposes the prayer for bail and submits that during the currency of investigation, the petitioner ought not to be released on bail.

7. Taking into account that the currency were recovered at the threshold and that the petitioner is a first offender, as stated at the bar on instructions and keeping in view the age of the petitioner, 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. While releasing the petitioner on bail, the learned Court below shall verify assertion regarding criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent, this order shall stand recalled without any further reference to this Court.

9. It is needless to state that the present order shall not ennure to the benefit of the co-accused, who is an absconder.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha