

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10680 of 2022

Babu @ Sk. Rafiq & Another

Petitioners

Mr. S.R. Mulia, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.11.2022

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.940 of 2022, pending before the Court of the learned J.M.F.C.(City), Cuttack, arising out of Madhupatna P.S. Case No.216 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 Sessions Judge, Cuttack, by order dated 27.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is stated by the learned counsel for the petitioners that the petitioners are in custody since 17.08.2022 and since charge-

sheet has already been filed on 15.09.2022, further continuance of the petitioner in custody is unwarranted.

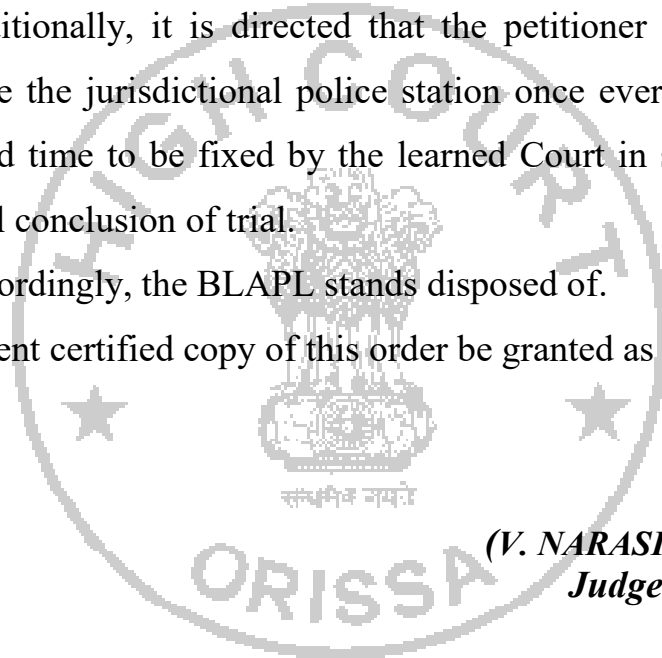
6. Learned counsel for the State relying on the order of rejection opposes the prayer for bail inter alia on the ground that the petitioner No.2 has criminal proclivity.

7. Taking into account the nature of allegations, period of custody and filing of the charge-sheet, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Additionally, it is directed that the petitioner No.2 shall appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin over the matter till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Ayesha