

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10700 of 2022

***Sanji @ Sanjaya Pradhan @
Naik***

Petitioner

Mr. S.K. Dash, Advocate

-versus-

State of Odisha

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
21.12.2022**

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with G.R. Case No.1280 of 2021, pending before the learned S.D.J.M., Dhenkanal, arising out of Motonga P.S. Case No.224 of 2021, for alleged commission of offences under Section 395 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Dhenkanal, by order dated 15.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner is in custody since 10.10.2022 and the basis of implication, as revealed from the order of rejection is on account of co-accused statement. Hence, the petitioner seeks release.

5. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the petitioner has criminal antecedents of similar nature, which has been reflected in the order of rejection. Hence, submits that the petitioner ought not to be released on bail at this stage.

6. Learned counsel for the petitioner on instruction submits that the investigation has progressed substantially and hence his bail application may be favourably considered.

7. Taking into account the nature of accusation in the case at hand notwithstanding the criminal antecedent, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

8. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the Investigating Officer once every week till submission of final form and he shall not indulge himself in any other offence during the currency of bail.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha