

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10712 of 2022

A. Rabi and another ***Petitioners***

Mr. B.B. Routray, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. P.K. Maharaj, 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 G.R. Case No.149 of 2022, pending in the file of learned S.D.J.M., Athamallik, arising out of Athamallik P.S. Case No.39 of 2022, offence under Sections 379/34 of IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Athamallik by order dated 20.10.2022 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 28.09.2022 and charge sheet has already been on 30.09.2022, further continuance of the petitioner is not warranted.
6. Learned counsel for the State opposes the prayer for bail.

7. Considering the nature of allegations and period of custody and filing of charge sheet, which is taken on record, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Taking into account the submission of the learned counsel for the State, on the basis of order of rejection that the petitioners have criminal antecedents, this Court directs that the petitioners shall appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin till submission of final form.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi