

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10777 of 2022

Zahid @ Zahid Hosen

....

Petitioner

Mr. A. R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

22.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in C.T. Case No.523 of 2022, pending on the file of the learned S.D.J.M., Balasore arising out of Balasore Town P.S. Case No.130 of 2022, for commission of alleged offences under Sections 395/398 of IPC read with Section 27 of the NDPS Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Balasore, by order dated 11.07.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the Petitioner is in custody since 23.06.2022 and charge sheet is filed on 14.10.2022.
5. And, taking into account the period of custody and implication being based on the confession of the co-accused, their further continuance in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail.
7. It is submitted that the one of the co-accused similarly circumstanced with the petitioner has since been released on bail by this Court by order dated 15.12.2022 in BLAPL No.10440 of 2022.
8. Considering the period of custody and release of the co-accused, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.
9. Additionally it is directed that Petitioner 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 conclusion of trial.
10. Accordingly, the BLAPL stands disposed of.
11. Urgent certified copy of this order be granted as per rule.

Santoshi

