

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10848 of 2022

Ami Naik

....

Petitioner

Mr. S.K. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.11.2022

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 G.R. Case No.204 of 2022 pending on the file of learned S.D.J.M., Hindol, arising out of Rasol P.S. Case No.80 of 2022 for commission of offence under Sections 294/341/427/323/395/506 IPC.
 4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Asst. Sessions Judge, Hindol by order dated 29.09.2022 in the aforementioned case, the present BLAPL has been filed.
 5. It is submitted by the learned counsel for the Petitioner that the co-accused has been released on bail by this Court by order dated 23.09.2022 in BLAPL No.4024 of 2022. It is alleged that the Petitioner and some other persons were involved in stealing

electricity wires from the newly erected 33 KV-11 feeder line by using gas cutter.

6. Learned counsel for the State opposes the prayer for bail, inter alia, on the ground that the Petitioner has criminal antecedent. Hence, the Petitioner ought not to be released on bail merely because some other co-accused persons have been released on bail.

7. Taking into account the manner of implication and release of the co-accused and filing of the charge-sheet, 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.

8. Considering the criminal proclivity of the Petitioner, it is directed that the Petitioner shall appear before the jurisdictional police station once every week till conclusion of trial. The date and time of appearance to be fixed by the learned Court in seisin over the matter.

9. The BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS