

-
IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10890 of 2022

Diptesh Mistri @ Tiku

....

Petitioner

Mr. A.K. Raut, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.11.2022

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 C.T. Case No.2525 of 2022, pending on the file of learned S.D.J.M., Jharsuguda, arising out of Jharsuguda P.S. Case No.559 of 2022 for commission of the offence under Sections 399/402 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Jharsuguda by order dated 27.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is stated that the Petitioner is in custody since 30.09.2022 and only recovery from the Petitioner is that of a mobile phone.
7. Learned counsel for the State opposes the prayer for bail.

8. Taking into account the nature of allegation and age of the Petitioner and that he is the first offender, this Court directs the Petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.
9. While releasing on bail, learned Court in seisin shall verify the criminal antecedent of similar nature. If the Petitioner has such criminal antecedent, this order shall stand recalled.
10. The BLAPL thus stands disposed of.
11. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

PKS

