

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10897 of 2022

***Kalia @ Pradip Ranjan Jena &
another***

Petitioners

Mr. D.K. Sahoo, 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 Petitioners and learned
 counsel for the State.
3. The Petitioners accused in G.R. Case No.2023 of 2022
 pending on the file of learned S.D.J.M., Kendrapara, arising out of
 Marsaghai P.S. Case No.393 of 2022, for commission of offence
 under Sections 399/402 IPC and Section 25 of the Arms Act.
4. Being aggrieved by the rejection of his application for bail
 U/s. 439 Cr.P.C by the learned Sessions Judge, Kendrapara by order
 dated 20.10.2022 in the aforementioned case, the present BLAPL
 has been filed.
5. Perused the order of rejection.
6. Taking into account the criminal proclivity of Petitioner
 No.2-Makara Mallik, this Court is not inclined to entertain the
 prayer for bail of Petitioner No.2 at this stage. It shall be open to the

Petitioner No.2 to move after filing of the final form which shall be considered by the learned Court in seisin on its own merit.

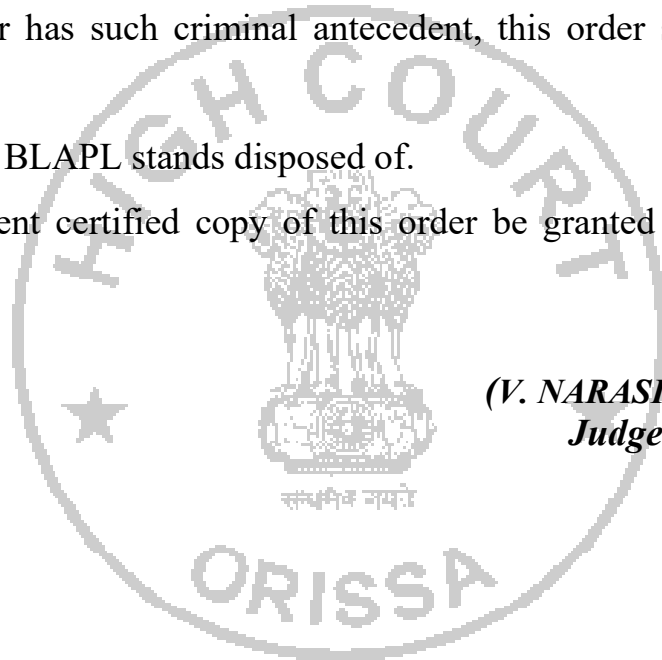
7. Taking into account the nature of allegation and the period of custody since 06.10.2022 and age of Petitioner No.1-Kalia @ Pradip Ranjan Jena, this Court directs the Petitioner No.1 to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

8. While releasing on bail, learned Court in seisin shall verify the criminal antecedent of similar nature. If it comes to the fore that the Petitioner has such criminal antecedent, this order shall stand recalled.

9. The BLAPL stands disposed of.

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

PKS



(V. NARASINGH)
Judge