

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10911 of 2022

***Subas Sabar @ Birat Sabar and
another***

Petitioners

Mr. M.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
30.11.2022**

Order No.

01.

1. Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners are accused in G.R. Case No.832 of 2022, pending in the file of learned S.D.J.M., Talcher, arising out of Samal P.S. Case No.113 of 2022, for commission of alleged offences under Sections 392/34 of IPC read with Section 25/27 of the Arms Act and is in custody since 10.10.2022.

3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Talcher by order dated 19.10.2022 in the aforementioned case, the present BLAPL has been filed.

4. Perused the order of rejection.

5. Learned counsel for the petitioners, on instructions, submits that the only allegation against the petitioners that they purchased the mobile phone which was stated to be stolen from one

Sushant Sabar a co-accused. It is stated with vehemence that the petitioners are the first offenders.

6. Taking into account the nature of allegations and period of custody, 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.

7. Additionally, it is directed that the petitioners shall appear before the local police station Adava, Dist-Gajpati once every week on such date and time to be fixed by the learned Court in seisin till submission of final form.

8. While enlarging the petitioners on bail, the learned court below shall verify assertion regarding their criminal proclivity. If it comes to the fore that the petitioners have any criminal antecedents of similar nature, this order shall stand recalled without any further reference to this Court.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi