

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10920 of 2022

Raja Das

....

Petitioner

Mr. R.L. Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
30.11.2022

Order No.

01.

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

2. The petitioner is an accused in G.R. Case No.663 of 2022, pending in the file of learned S.D.J.M., Malkangiri, in the district of Malkangiri, arising out of Malkangiri P.S. Case No.560 of 2022, for commission of alleged offences under Sections 392/419 of IPC and is in custody since 27.09.2022.

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

4. It is submitted by the learned counsel that the petitioner is in custody since 27.09.2022 and as investigation has progressed substantially and since he is the first offender, keeping in view the nature of allegation, his further continuance in custody is not warranted.

5. Learned counsel for the State opposes the prayer for bail during the currency of investigation.
6. The allegation against the petitioner is that he along with two other co-accused persons posing as IAS Officer demanded money from the informant and threatening them that otherwise they will sent him to jail custody in NDPS case and in this process Rs.5,000/- (Rupees Five Thousand) has been taken away from the informant.
7. Considering the nature of allegation and age of the petitioner (20 years) and that he is the first offender, as stated, 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. Additionally, it is directed that the petitioner shall appear once every week before the concerned police station on such date and time to be fixed by the learned Court in seisin till submission of final form.
9. While enlarging the petitioner on bail the learned court below shall verify assertion regarding her criminal proclivity. If it comes to the fore that the petitioner has criminal antecedent of similar nature, this order shall stands recalled without any further reference to this Court.
10. Accordingly, the BLAPL stands disposed of.
11. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge