

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10965 of 2022

Rupa @ Upendra Sahoo

....

Petitioner

Mr. S.K. Mahanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

06.12.2022

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.98 of 2022, pending in the file of learned J.M.F.C., Jagannath Prasad, arising out of Jagannath Prasad P.S. Case No.365 of 2022, for commission of alleged offences under Sections 341/323/307 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bhanjanagar by order dated 22.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. Perused the order of rejection.
5. It is submitted that the petitioner is in custody since 06.10.2022. The injury report of the injured Santosh Ku. Sahoo as well as his mother Basanti Sahoo informant indicate that these are simple.

6. Keeping in view nature of the injuries and the background in which the offence was committed, 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.

7. While enlarging the petitioner on bail, the learned court below shall verify assertion regarding criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent of similar nature, this order shall stand recalled.

8. Accordingly, the BLAPL stands disposed of.

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

Santoshi

