

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10967 of 2022

Ranjit Moharana

....

Petitioner

Mr. H. Mohapatra, 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.1251 of 2022, pending in the file of learned S.D.J.M., Dhenkanal, arising out of Dhenkanal Town P.S. Case No.526 of 2022, for commission of alleged offences under Sections 420/419/468/471/120-B/34 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, Dhenkanal 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 26.09.2022 and as final form has been submitted on 23.11.2022 and since he is the first offender and keeping in view the nature of

allegations vis-à-vis the petitioner, further continuance of the petitioner in custody is not warranted.

6. On perusal of the final form which has been placed on record by the learned counsel for the petitioner, it is seen that the role ascribed to the petitioner is that he facilitated in making photo stat copies of duplicate Aadhar Card which were later utilized in duping the informant. Apart from it prima facie there is no other allegations so far as the present petitioner is concerned.

7. Taking into account the same and keeping in view that the petitioner was initially not named as an accused and filing of charge sheet, 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. 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.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi