

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11018 of 2022

Samir Barik

....

Petitioner

Mr. J.K. Majhi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
07.12.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in C.T. Case No.217 of 2019, pending in the file of learned S.D.J.M., Nilgiri in the District of Balasore, arising out of Oupada P.S. Case No.40 of 2019, for commission of alleged offences under Sections 394 of IPC and is in custody since 18.10.2022.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Asst. Sessions Judge, Nilgiri by order dated 30.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. Perused the order of rejection.
5. Prima facie it is seen that the petitioner's implication is under Section 411/414 of IPC and it is stated on instruction that the petitioner has no antecedent of similar nature.

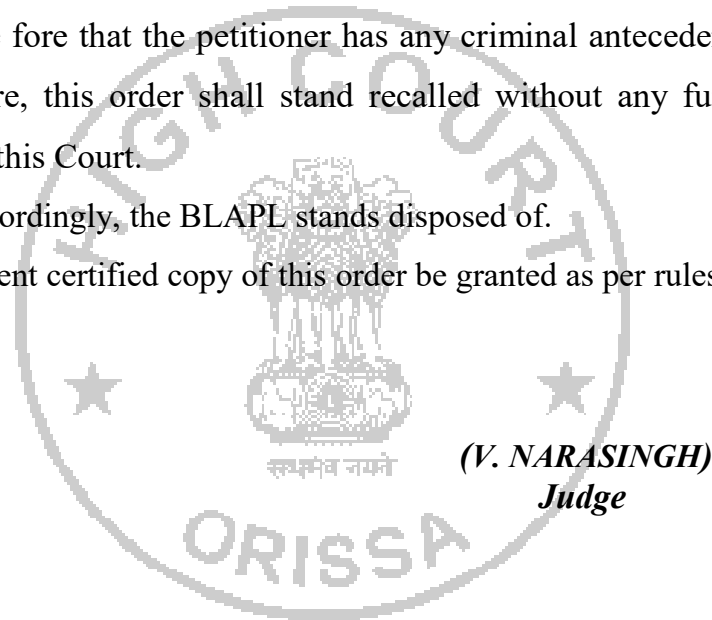
6. Taking into account the same and the period of custody, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

7. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station 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 petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent 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 rules.



Santoshi