

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11036 of 2022

Dibakar Saha

....

Petitioner

Mr. S. Sen , Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

20.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with G.R. Case No.1212 of 2022, pending in the Court of the learned S.D.J.M. (S) Cuttack arising out of Cantonment P.S. Case No.135 of 2022 for commission of alleged offences under Sections 363 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 3rd Additional Sessions Judge, Cuttack, by order dated 03.11.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner is in custody since 03.11.2022 and charge sheet has already been filed on 18.11.2022.
5. Learned counsel for the State on instruction submits that in the meanwhile the child has been restored to her parents.
6. Hence, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.
7. While releasing the petitioner on bail, learned Court below shall verify assertion regarding the **criminal antecedent of similar**

nature. If the petitioner has any such criminal antecedent, this order shall stand recalled.

8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi

