

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11113 of 2022

Kunja Bihari Khadia

....

Petitioner

Mr. R.C. Maharana, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.12.2022

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.2290 of 2022, pending in the file of learned S.D.J.M., Jharsuguda, arising out of Brajrajnagar P.S. Case No.266 of 2022, for commission of alleged offences under Sections 379 of IPC and is in custody since 14.09.2022.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Jharsuguda by order dated 04.11.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner was directed to be released on bail by this Court by order dated 17.10.2022 in BLAPL No.9475 of 2022. Since the petitioner had antecedent, learned Court in seisin rejected his application in terms of the order passed by this Court noted above. Hence, this present bail application.

5. Taking into account the nature of accusation, release of the co-accused and that the petitioner has one criminal antecedent as noted in the order of rejection, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

6. Keeping in view the criminal proclivity of the petitioner, it is directed that he 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 conclusion of trial.

7. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

