

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11129 of 2022

Prasanta Parida

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

14.12.2022

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.407 of 2022, pending in the file of learned J.M.F.C., Bhuban, arising out of Bhuban P.S. Case No.428 of 2022, for commission of alleged offences under Sections 186/188/353/307/465/468/420/34 of IPC read with Section 51(1) of Orissa Minor Minerals Concession Rules, 2004.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Kamakhyanagar by order dated 29.10.2022 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 19.10.2022 and is the driver in the vehicle bearing registration No.OD-16D-6756 and also submitted that the co-accused who is the

owner of the said vehicle has since been released on bail by this Court by order dated 23.11.2022 in BLAPL No.10724 of 2022.

5. Taking into account the nature of allegations qua the petitioner and release of the co-accused, 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 his criminal proclivity. If it comes to the fore that the petitioner has criminal antecedent of similar nature this order shall stand recalled.

8. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station once every week till submission of charge sheet.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge