

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10131 of 2021

Rakesh Kumar Rout

....

Petitioner

*Mr H.N.Mohapatra,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. A. Pradhan,
Addl. Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

31.01.2022

Order No.

2.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 07.10.2021 in connection with Choudwar P.S. Case No. 428 of 2021 corresponding to G.R. Case No. 2392 of 2021 pending in the court of learned J.M.F.C.(R), Cuttack for the alleged commission of offence under Sections 381//34 of IPC.
4. It is submitted that the persons who were allegedly sleeping in the bank premises on the night of the occurrence have been specifically named in the FIR and the name of the petitioner has been added only on suspicion.
5. Learned Additional Standing Counsel, on the other hand, submitted that in course of investigation a sum of Rs. 2,50,000/- was recovered from the possession of the petitioner which shows his involvement in the occurrence.

6. Having regard to the submissions made, the materials on record, the period of detention already undergone and the fact that charge sheet has already been submitted in the case, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

7. The BLAPL is accordingly disposed of.

8. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

(Sashikanta Mishra)
Judge

B.C. Tudu