

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11567 of 2022

Satyajit Sahu @ Satya

....

Petitioner

Mr. S. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

19.12.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with C.T. Case No.318 of 2022, pending in the Court of the learned J.M.F.C., Kantamal, arising out of Kantamal P.S. Case No.158 of 2022, for alleged commission of offences under Sections 399/402 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Kantamal, by order dated 03.11.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner is in custody since 19.10.2022 and on instruction, it is stated that charge-sheet has been filed on 19.12.2022, hence further continuance of the petitioner in custody is unwarranted.

5. Learned counsel for the petitioner submits with vehemence that though the petitioner is innocent, he has been implicated in the case at hand only because of his criminal proclivity.
6. Learned counsel for the State opposes the prayer for bail basing on the order of rejection, which indicates that the petitioner was involved in cases of similar nature and the last of such offences was in the year 2018.
7. Considering the period of custody and the progress in investigation as stated and the manner of accusation and filing of charge-sheet, this Court directs the petitioner to be released on bail on terms to be fixed by the learned Court in seisin.
8. Keeping in view the criminal proclivity of the petitioner, learned Court in seisin is called upon to fix suitable terms.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha