

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10603 of 2021

Sk.Rafiqula @ Okil and others

....

Petitioners

Mr. D.K.Sahoo,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.01.2022.

Order No.

01.

1. This matter is taken up through hybrid mode.

2. Heard Mr. D.K.Sahoo, learned counsel for the Petitioners and Mr.S.K.Mishra, learned Addl. Standing Counsel for the State.

3. The Petitioners are in custody since 29th September, 2021 in connection with Kendrapara Sadar P.S. Case No.290 of 2021 pending in the court of learned S.D.J.M., Kendrapara corresponding to G.R. Case No.1275/2021 for the alleged commission of the offence under Sections 457/380 of I.P.C. It is alleged that the Petitioners committed robbery in the house of

the informant thereby taking away several articles and cash. It is submitted that the Petitioners have been remanded in the case only on suspicion without any material to show the complicity in the occurrence.

4. Learned Addl. Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that the Petitioners are habitual offenders having series of cases against them.

5. Having regard to the submissions made, the materials on record and the period of detention already undergone, I am inclined to allow the prayer for bail.

6. Let the Petitioners- Sk Rafikulla @ Okil, Loka @ Sk.Lokman @ Sk Muna, Sk Sajid @Geda be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that they shall appear before the trial court on each date of posting of the case without fail. It is made clear that if the Petitioners do not appear, it shall be open to the trial court to pass appropriate orders to take them into custody.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

