

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11752 of 2022

Siba @Pritiranjana Das @ Palai

Petitioner

Mr. K.K. Pahil , Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.12.2022

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.1274 of 2022, pending in the Court of the learned S.D.J.M. Jajpur, dist- Jajpur, arising out of Mangalpur P.S. Case No.330 of 2022 for commission of alleged offences under Sections 341/294/323/307/506 and 34 of IPC and is in custody since 14.07.2022.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned S.D.J.M. Jajpur, by order dated 02.11.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted that this Court by order dated 28.10.2022 in BLAPL No.8129 of 2022 while releasing the petitioner on bail, taking note of the submission of the learned counsel for the petitioner that he is the first offender, directed his release subject to verification of criminal antecedent.

5 Learned counsel for the petitioner submits that inadvertently such a submission was made and in fact the petitioner is not a first offender and there is one case pending against him which has been taken note of by the learned Court below while rejecting his application for bail.

6. Considering that, this Court had directed release subject to verification of criminal antecedent and since the antecedent is not of similar nature, this Court is persuaded to direct the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

7. Keeping in view the criminal proclivity of the petitioner, it is directed that he shall appear before the jurisdictional Court one every week on such date and time to be fixed by the learned Court in seisin till conclusion of trial.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi