

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12156 of 2022

Chittaranjan Tandi

....

Petitioner

Mr. B.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.12.2022

Order No.

01.

1. Learned counsel for the Petitioner submits that the age of the Petitioner has been inadvertently described as '45' instead of '35' in the cause title of the bail application.
2. In view of such submission, he is permitted to correct to age of the Petitioner in the cause title of the bail application in Court today.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. The Petitioner is an accused in C.T. Case No.129 of 2022, pending on the file of learned G.N.A-cum-J.M.F.C., Komna, arising out of Komna P.S. Case No.129 of 2022, for commission of the alleged offence under Sections 364-A/120-B/34 IPC and Sections 25/27 of the Arms Act.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Nuapada by order dated 01.12.2022 in the aforementioned case, the present BLAPL has been filed.

6. It is submitted by the learned counsel that earlier the Petitioner was directed to be released on bail by order dated 28.10.2022 in BLAPL No.6631 of 2022 subject to verification of the criminal antecedent.

7. Learned counsel for the Petitioner submits that because of erroneous instruction it could not be brought to the notice of the Court that the Petitioner has one criminal antecedent and the same is one under Orissa Excise Act.

8. Considering that the Petitioner has one criminal antecedent of not similar nature and he is in custody since 02.06.2022 and filing of the charge sheet on 30.09.2022, this Court directs the Petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

9. Keeping in view the criminal proclivity of the Petitioner, additionally, it is directed that the Petitioner shall appear before the jurisdictional police station of the learned Court in seisin once every week till conclusion of trial.

10. The BLAPL thus stands disposed of.

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

(V. NARASINGH)
Judge

PKS