

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11263 of 2021

Ajit Kumar

.... ***Petitioner***
Mr.A.N. Pattanayak, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.C.Das, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
13.03.2022

Order No.

I.A. No.489 of 2022

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application for modification/recalling of the order dated 27.01.2022 passed in BLAPL No.11263 of 2021.
3. Learned counsel for the Petitioner submits that Petitioner has four criminal antecedents and in view of the discussion made at paragraph-8 of the order dated 27.01.2022 with regard to criminal antecedents, he could not avail the benefit of this order, as learned Addl. Sessions Judge-cum-Special Judge, Koraput vide order its dated 11.02.2022 passed in T.R. Case No.67 of 2021 has rejected the bail of the Petitioner. Accordingly, learned counsel for the Petitioner seeks modification/clarification of the order dated 27.01.2022.

4. Considering the averments made, the last sentence in paragraph-8 of the order dated 27.01.2022, i.e. **“This order shall remain valid in the event the court in seisin of the matter is satisfied that Petitioner has no criminal antecedents”** be deleted. The rest part of the order shall remain unaltered. The order dated 27.01.2022 is modified to the above extent only.

5. In view of the modification of order dated 27.01.2022, the order passed by the learned Additional Sessions Judge-cum-Special Judge, Koraput in T.R. Case No.67 of 2021 is set aside and he is directed to take appropriate steps in the matter in accordance with law.

6. I.A. thus stands allowed.

7. Issue urgent certified copy as per rule.

(A.K. Mohapatra)
Judge