

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 12736 of 2022

Tripati Gouda @ Chhotu

....

Petitioner

*Mr.B. Mohanty,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

23.12.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody in connection with Banapur P.S. Case No.155/2022 corresponding to G.R. Case No.136 of 2022 pending in the Court of learned J.M.F.C., Banpur for the alleged commission of the offence under Sections 395/397 of IPC read with Section 25/27 of the Arms Act.
4. It is alleged that the petitioner and some other persons committed theft of Rs.12,500/-, a motorcycle, mobile phone and a printer from the informant and his associate by showing them a bhujali and gun. It is submitted that no incriminating article was seized from the possession of the petitioner. Similarly placed co-accused persons have been released on bail as per the orders passed by this Court in BLAPL Nos.5204 and 5292 of 2022.

5. Considering the submissions as above, the materials on record and the period of detention of the petitioner in custody, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as may be imposed by the Court in seisin over the matter in the aforesaid case including the condition that he shall appear before the Court below on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the Court to take him to custody again.
6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

