

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 386 of 2021

***Basanta Sethi @ Basanta
Kumar Sethi***

....

Petitioner

Mr. S.K. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. S. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

11.05.2022

Order No.

05.

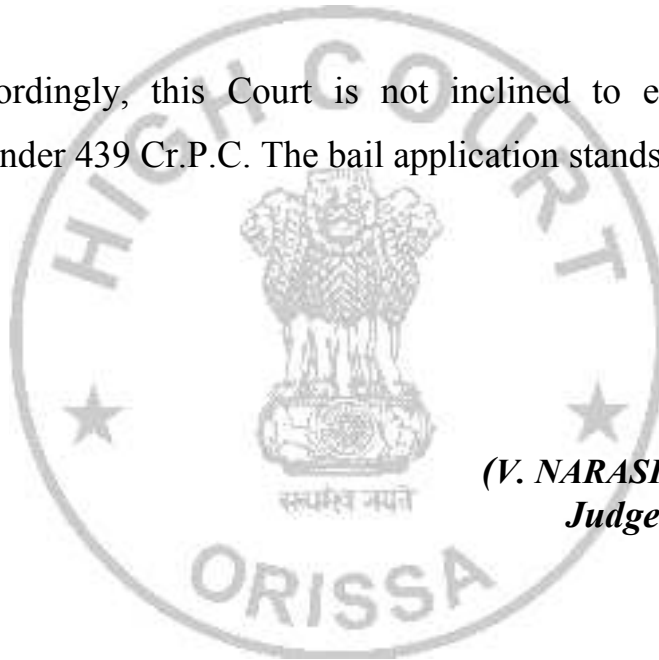
1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.
3. The petitioner is an accused in Special G.R. Case No.20 of 2020, on the files of learned Additional Sessions Judge-cum-Special Judge, Bhanjanagar, arising out of Jagannath Prasad P.S. Case No.192 of 2019, under Sections 147/148/302/149 of I.P.C read with 4 of the Prevention of Witch Hunting Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Court of the Additional District & Sessions Judge, Bhanjanagar, by order dated 24.08.2020 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submitted that the petitioner is similarly circumstanced with other co-accused namely Abhi Sethi, Sweta Sethi, Dillip Sethi and Santosh Samal who have

been released on bail and sought intervention of this Court inter alia on the ground of parity.

6. Perused the statements of witnesses relied upon by the learned counsel for the State namely Achyuta Nanda and Bipra, on consideration of the materials on record and the P.M. report and taking note of the statement under Section 27 of the Evidence Act leading to discover, at the instance of the present petitioner this Court is of the view that the petitioner is not similarly circumstanced with the accused persons who have been released on bail.

7. Accordingly, this Court is not inclined to exercise its jurisdiction under 439 Cr.P.C. The bail application stands rejected.

Santoshi



(V. NARASINGH)
Judge