

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 660 OF 2021

Nanda @ Sk. Allaudin

..... *Petitioner*
Mr. A.K. Jena, Adv.

-versus-

State of Orissa

..... *Opposite Party*
Mr. K.K. Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER

11.04.2022

Order No.

06.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is accused in connection with C.T. Case No. 384 of 2020 corresponding to Simulia P.S. Case No. 127 of 2020, pending on the file of Learned J.M.F.C., Sore for the alleged commission of offence under Sections-395/397 of the Indian Penal Code (IPC) and Section- 25/27 of the Arms Act and he is in custody since 05.11.2020.
3. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned of Learned Asst. Sessions Judge, Soro in BLAPL No. 06 of 2021 by Order dtd. 19.01.2021, the present BLAPL has been filed.
4. Heard Mr. A.K. Jena, learned Counsel for the petitioner and Mr. K.K. Gaya, learned Additional Standing Counsel for the State.

5. Learned counsel for the petitioner submits that there are no direct material to implicate the petitioner and the basis for the petitioner and only because of the criminal antecedent, he has been roped in this Case and relying on the order of this Court dtd. 16.03.2021 in BLAPL No. 8118 of 2020 relating to co-accused – Kuina @Soumya Ranjan Jena intervention of this Court is sought inter alia on the ground of parity.

6. Learned Counsel for the State submits that, the petitioner has been taken into custody on the basis of extra judicial confession made before one Prakash Paramanik and the petitioner has antecedent of similar nature as such he is not entitled to be released on bail.

7. Considering the submissions of the counsels and taking into account the release of the co-accused, the basis of implication, the petitioner is directed to be released on bail on such terms and conditions to be fixed by the learned Court in seisin over the matter with the additional condition that, the petitioner shall appear in person before the jurisdictional Police Station of the concerned Court once every ten (10) days. The first date of which shall be fixed by the Court in seisin over the matter.

8. It shall be open to the learned Court in seisin over the matter to initiate steps for cancellation of bail, in case there is any violation of condition relating to the appearance of the accused as stipulated above.

9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rules.

Balaram

*(V.Narasingh)
Judge*

