

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3577 of 2022

***Dipu Uttarkabat @ Deepu
Uttarkabat***

....

Petitioners

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
26.07.2022**

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioners are accused in G.R. Case No.352 of 2018, on the files of learned N.G.N.-cum-J.M.F.C., Tangi, arising out of Nirakarpur P.S. Case No.83 of 2018, under Sections 341/323/294/302/506/34 of the IPC and is in custody since 13.04.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge Khurda by order dated 22.04.2022 in the aforementioned case, the present BLAPL has been filed.

5. Learned counsel for the petitioner placing reliance on the release of the co-accused in terms of the order dated 23.11.2020 in BLAPL No.2402 of 2020 seeks release inter alia on the ground of parity.

6. The learned counsel for the State opposes the move placing reliance on the antecedent to the petitioner. While releasing the co-accused on bail this Court had taken note of the fact that the overt act causing the death of the deceased is attributed to one Papu @ Jitu Jagdev.

7. Taking note of the same the petitioner is prima facie similarly circumstanced with the co-accused, who was released on bail by this Court, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Additionally, it is directed that the petitioner shall appear before the jurisdictional Police Station once in every week till the conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi