

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3647 of 2022

Muna Suna

....

Petitioner

Mr. R.N. Biswal, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

11.08.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in G.R. Case No.159 of 2022, on the files of learned S.D.J.M. Koraput, arising out of Koraput Town P.S. Case No.52 of 2022, under Sections 395 of the IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Koraput, by order dated 19.04.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that the co-accused who are similarly circumstanced have been released on bail by this Court by order dated 26.04.2022 in BLAPL No.2959 of 2022 and order dated 20.04.2022 in BLAPL No.2825 of 2022 and seeks release inter alia on the ground of parity.

6. Learned counsel for the State opposes the prayer stating that taking into account the nature of allegations the ground of parity cannot be pressed into service.

7. Considering the submission of the charge sheet and the release of the co-accused, 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. It is submitted by the learned counsel for the petitioner that the petitioner has no criminal proclivity. While enlarging the petitioner on bail the learned court below shall verify such assertion. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled without any further reference to this Court.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi