

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3047 OF 2021

Santosh Naik

..... ***Petitioner***
Mr. K.P. Dash, Advocate

-versus-

State of Odisha

..... ***Opposite Party***
Mr. P. Mohapatra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
17.05.2022

Order No.

04.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with G.R. Case No. 1270 of 2020 arising out of Tarasingi P.S. Case No. 270 of 2020, pending on the file of the learned S.D.J.M., Bhanjanagar, Ganjam for the alleged commission of offence under Sections-302/201/34 of the IPC.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Addl. District & Sessions Judge, Bhanjanagar by Order dtd. 12.02.2021 in Bail Application No. 45 of 2021, the present BLAPL has been filed.

4. Heard Mr. K.P. Dash, learned counsel for the petitioner and Mr. P. Mohapatra, learned Additional Standing Counsel for the State.

6. Learned counsel for the petitioner relying on the order dtd. 06.05.2022 of this Court passed in BLAPL No. 2242 of 2022 seeks release of the petitioner inter alia on the ground of parity.

7. It is stated at the Bar that in the meanwhile, two material witnesses – Mitu Patra and Tulu Patra examined as P.Ws. 1 and 2 respectively have resiled.

8. Taking note of the same and taking into account the release of the co-accused who is stated to have greater complicity, 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.

9. The Bail Application thus stands disposed of.

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

Balaram

*(V.Narasingh)
Judge*