

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4392 of 2022

Bikash @ Babul Behera

....

Petitioner

Mr. S.R. Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
20.07.2022

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 petitioner is an accused in C.T(s). Case No.35 of 2021, pending on the files of learned Asst. Sessions Judge, Talcher, arising out of Talcher P.S. Case No.99 of 2021, under Sections 395/397 of IPC and read with Section 25/27 of the Arms act and is in custody since 16.03.2021.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge Talcher, by order dated 09.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner places reliance on the order of this Court dtd. 07.10.2021 in BLAPL No. 3983 of 2021, by which the co-accused Tentu@ Sunil Naik, BLAPL No. 5913 of 2021-accused Chintu@ Bana @ Manas Naik and BLAPL No. 3982 of

2021-accused Sanu@ Sanjit Naik have been directed to be released on bail and claims relief on the ground of parity.

6. The learned counsel for the State opposes the move, inter alia, on the ground that the petitioner has been identified in T.I. Parade, has criminal antecedent and as such not entitled to any relief.

7. Considering submissions of the learned counsel for the petitioner and in view of the orders passed by this Court in BLAPL Nos. 3983, 3982 and 5913 of 2021, this Court directs the petitioner to be released on bail on such terms and conditions as deemed just and proper by the Court in seisin over the matter with further conditions that he will report before the IIC, Talcher Police Station on every Monday in between 10.00 A.M to 2.00 P.M for a period of one year, and further will appear in person before the Court in seisin of the case on each date of posting of the case till conclusion of the trial, and will not indulge himself in commission of any offence.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent Certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi