

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4546 of 2022

Sudarshan Nahak

....

Petitioner

Mr. A. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.08.2022

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. Learned counsel for the petitioner is permitted to file a memo indicating the Court in seisin over the matter, since it is stated that case has already been committed.
4. The petitioner is an accused in G.R. Case No.27 of 2022, on the files of Learned Sessions Judge, Dhenkanal registered as C.T. (S) No.145 of 2022, arising out of Rasol P.S. Case No.09 of 2022, under Sections 450/395/397/201/120(B) of IPC and is in custody since 17.01.2022.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge Hindol, by order dated 03.05.2022 in the aforementioned case, the present BLAPL has been filed.

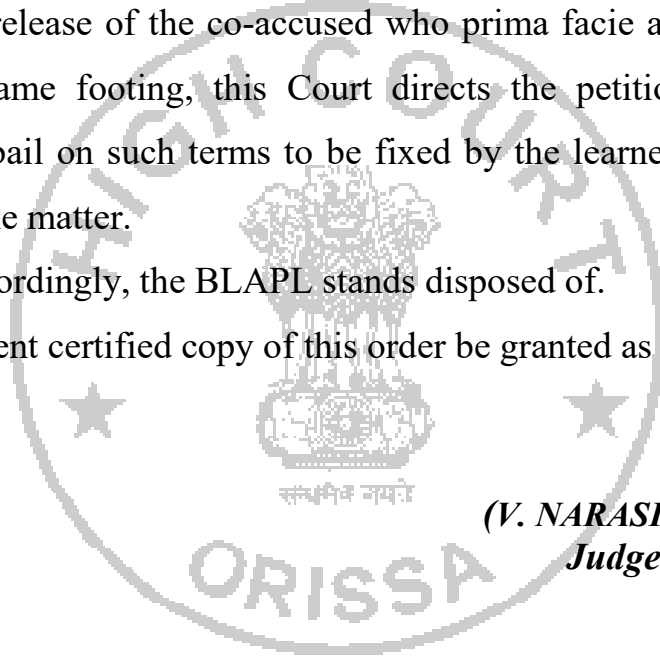
6. Learned counsel for the petitioner seeks released of the petitioner submitting that the co-accused similarly circumstanced has been release on bail by this Court by order dated 27.04.2022 in BLAPL No.1905 of 2022 and order dated 05.05.2022 in BLAPL No. 2017 of 2022.

7. Per contra learned counsel for the State submits that from the nature of allegations question of parity cannot be considered at this stage.

8. On a conspectus of materials on record and taking into account the release of the co-accused who prima facie appeared to be on the same footing, 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. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi