

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4790 OF 2022

Bapunu @ Asish Kumar Malik

***..... Petitioner
Mr. P.Panigrahi, Advocate***

-versus-

State of Odisha

***..... Opposite Parties
Mr. A. Pradhan, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
29.07.2022**

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 connection with G.R. Case No. 2991 of 2021 arising out of Bhadrak Town P.S. Case No. 448 of 2021, pending on the file of the learned S.D.J.M., Bhadrak for the alleged commission of offence under Sections- 395 of the I.P.C. read with section -25/27 of the Arms Act.
4. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Additional Sessions Judge, Bhadrak by Order dtd. 20.05.2022 in Bail Application No. 334 of 2022, the present BLAPL has been filed.

5. Learned counsel for the petitioner places reliance on record the order passed by this Court dtd. 19.05.2022 in 2607 of 2022 relating to the co-accused-Prahallad Das @ Bapina and the order of the learned Sessions Judge dtd. 27.05.2022 relating to co-accused –Alok Kumar and Papu@Prafulla Malik.

6. It is submitted that since the petitioner is similarly circumstanced he be granted bail.

7. Learned counsel for the State submits that the distinguishing features so far as the present petitioner is concerned in as much as there has been recovery from him unlike the petitioner in BLAPL No. 2607 of 2022 and opposes the bail.

8. Taking into account the release of the co-accused who are more or less similarly circumstanced and the period of custody from 01.12.2021 and non-commencement of trial, this Court directs the petitioner to be released on bail on such terms and conditions 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.

(V.Narasingh)
Judge

Balaram