

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4232 of 2021

Jiten Suna

....

Petitioner

Mr. S.R. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. S. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
11.04.2022

Order No.

06.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing counsel for the State.
3. The petitioner is an accused in C.T. Case No.441 (B) of 2013, on the files of learned G.N.A.-cum-J.M.F.C. Komna, arising out of Komna P.S. Case No.151 of 2013, under Sections 457,395 of the IPC and Section 25 of the Arms Act and is in custody since 02.04.2021.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned District and Sessions Judge, Nuapada, by order dated 17.05.2021 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner relying on the order of this Court dated 23.06.2015 in BLAPL No.1179 of 2015 of the co-

accused Mr. Binod Chhatria and two other BLAPLs, which was noted in the order relating to Mr. Binod Chhatria referred to above that is BLAPL No.19673 and 12203 of 2014 seeks indulges of this Court, inter alia on the ground of parity.

6. Learned counsel for the State opposes the move for bail on the ground stating that the petitioner is not similarly circumstanced in as much as the petitioner has criminal antecedent of similar nature.

7. Learned counsel for the petitioner submit that he has only been implicated in this case on the basis of co-accused statement and since he has one criminal antecedent of similar nature.

8. Taking into account that the incident is of the year 2013 and the petitioner was remanded from 02.04.2021 and keeping in view that the orders in respect of the accused adverted to above, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin of the matter with the condition that he shall appear before the jurisdictional police station once every fort night. The learned court in seisin over the matter shall fix the date of first appearance and the subsequent date.

9. Violation of any of the terms and conditions shall entail cancellation of bail.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi