

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6155 OF 2022

Kanhu @ Kanha Swain

***..... Petitioners
Mr. J. Sahoo, Advocate***

-versus-

State of Odisha

***..... Opposite Parties
Mr. S.N. Pattnaik, AGA***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
22.07.2022**

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with G.R. Case No. 165 of 2022 arising out of Hinjili P.S. Case No. 195 of 2022, pending on the file of the learned J.M.F.C., Hinjilicut for the alleged commission of offence under Sections-452/323/307/379/506/34 of the I.P.C.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Additional Sessions Judge, Chatrapur by Order dtd. 12.05.2022 in BLAPL No. 80 of 2022, the present BLAPL has been filed.
4. Heard learned counsel for the petitioner and learned Counsel for the State.

5. Learned counsel for the petitioner relies on the order dtd. 17.06.2022 passed in BLAPL No. 4709 of 2022 relating to the co-accused- Dharmendra Swain@Bhalu and seeks intervention of this Court inter alia on the ground of parity.

6. It is submitted that, this Court has specifically noted that the injuries sustained by the injured are simple in nature.

7. Taking note of release of the co-accused and nature of injuries, 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 as deemed just and proper.

8. While so releasing, the learned Court below shall verify the statement made across at the Bar that the petitioner has no criminal proclivity. In case it comes to the fore that the petitioner has antecedents, this order shall stand recalled without further reference to this Court.

9. The Bail Application thus stands disposed of.

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

Balaram

(V.Narasingh)
Judge