

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6214 of 2022

Shibabrata Maharana

....

Petitioner

Mr. A. Hota, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.09.2022

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. The petitioner is an accused in G.R. Case No.491 of 2022, pending in the file of learned S.D.J.M., Talcher, arising out of Colliery P.S. Case No.93 of 2022, offence under Sections 394 of IPC and is in custody since 08.03.2022.
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 02.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that co-accused similarly circumstanced who was also identified in the T.I. parade was directed to be released on bail by this Court by order dated 22.06.2022 in BLAPL No.5250 of 2022, Hence learned

counsel for the petitioner seeks release of the petitioner on the ground of parity.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the petitioner has criminal antecedents of similar nature as evidenced from the order of rejection.

7. Taking into account the release of the co-accused and period of custody, 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.

8. Taking note of the submission of the learned counsel for the State regarding the criminal proclivity of the petitioner, additionally it is directed that the petitioner shall appear before the jurisdictional police station twice every week till the conclusion of trial and such appearance shall be certified to 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 rules.

(V. NARASINGH)
Judge