

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6312 of 2022

Hrushikesh Patra

....

Petitioner

Mr. B.K. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
09.09.2022

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 accused in S.T. Case No.2 of 2022 arising out of G.R. Case No.619 (A) of 2015 and Aska P.S. Case No.273 of 2015, pending in the Court of learned Assistant Sessions Judge, Aska, Ganjam, for alleged commission of offences under Sections 353/307/34 of IPC read with Section 25(1-B)(a) & 27 of 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, Aska, Ganjam, by order dated 07.04.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the petitioner is earlier accused of commission of offence under Section 302 of IPC, as borne out from the order of rejection.

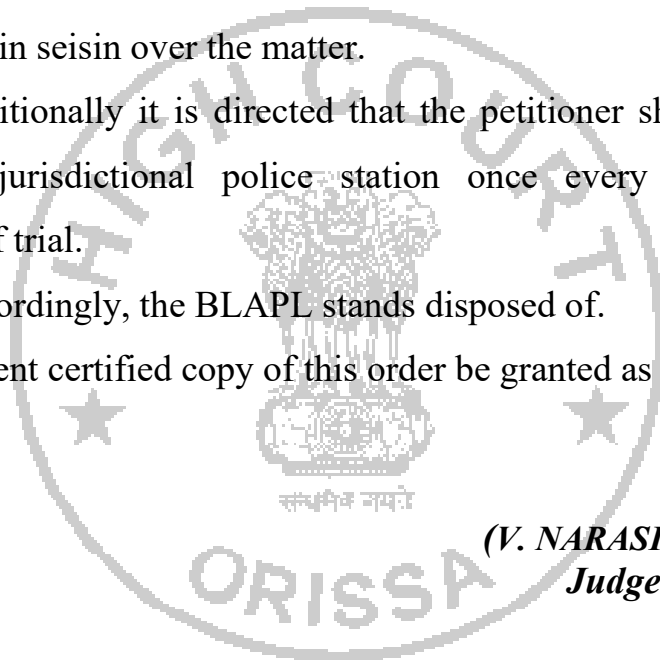
6. Learned counsel for the petitioner submits that the petitioner was released on bail in the case in which he is facing the accused under Section 302 of IPC and that should not weighed with the petitioner, since the co-accused who fired has already been released on bail by this Court by order dated 18.01.2017 in BLAPL No.7683 of 2016, copy of which is on record at Annexure-3.

7. Taking into account the release of the co-accused Bulu @ Ganesh Naik who has alleged to have fired at the informant by order dated 18.01.2017 in BLAPL No.7683 of 2016, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Ayesha