

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5537 OF 2021

Joseph Pani

..... *Petitioner*
Mr. A.K. Mohanty, Adv.

-versus-

State of Odisha

..... *Opposite Party*
Miss S. Mishra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
20.04.2022

Order No.

03.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with G.R. Case No. 73 of 2020 on the file of the Learned Special Judge, Gajapati, arising out of Adava P.S. Case No. 124 of 2020, for commission of alleged offence under Sections-20(a)(i) of the N.D.P.C., Act. read with Section-27(1)(a) of the Orissa Forest Act and he is in custody since 15.03.2021.
3. Being aggrieved by the order dtd. 22.06.2021 passed by the Learned Special Judge, Gajapati, Paralakhemundi in G.R. Case No. 73 of 2020, rejecting the bail application of the petitioner, the present BLAPL has been filed.
4. Heard Mr. A.K. Mohanty, learned counsel for the petitioner and Miss S. Mishra, learned Additional Standing Counsel for the State.

5. Learned Counsel for the petitioner places reliance on the orders passed by this Court dtd.04.08.2021 in BLAPL No. 5669 of 2021 (Radhakanta Nayak) and seeks intervention of this Court inter alia on the ground of parity.

6. Learned counsel for the State opposes the move for bail while not questioning the assertion of the petitioner that he is similarly circumstanced with the other co-accused whose bail was favourably considered by this Court.

7. Taking into account the order of this Court dtd.04.08.2021 in BLAPL No. 5669 of 2021 (Radhakanta Nayak), who is similarly placed, this Court directs the petitioner shall be released on bail, on such terms to be fixed by the learned Court in seisin over the matter.

8. The Bail Application thus stands disposed of.

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

Balaram

(V.Narasingh)
Judge