

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6610 OF 2022

Jogeswar Behera

..... Petitioner
Mr. R.K. Mahanta, Advocate

State of Odisha

-versus-

..... Opposite Parties
Mr. A. Pradhan, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
29.07.2022

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. 1504 of 2022 arising out of Dhanupalli P.S. Case No. 120 of 2022, pending on the file of the learned S.D.J.M., Sambalpur for the alleged commission of offence under Sections- 457/380 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 Sessions Judge, Sambalpur by Order dtd. 11.05.2022 in BLAPL No. 444 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 places reliance on the Order passed by this Court dtd. 28.06.2022 in BLAPL No. 5409

of 2022 relating to one Gobinda Mallik and submits that since he is similarly circumstanced to be released on bail.

6. Learned Counsel for the State opposes the prayer of the learned counsel for the petitioner.

7. On perusal of the order passed by this Court, it is seen that the principal accused is one Rakesh @ Dileswar Behera and prima facie the petitioner is similarly circumstanced with co-accused – Gobinda mallik since released.

8. 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 and conditions to be fixed by the learned Court in seisin over the matter.

9. While so releasing the learned Court shall verify, if the petitioner has any criminal antecedents and if it comes to the fore that he has any criminal proclivity, this order shall stand recalled.

10. The Bail Application thus stands disposed of.

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

Balaram

*(V.Narasingh)
Judge*