

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6935 of 2022

Sourav Sanket Parida

....

Petitioner

Mr. N. Lenka, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.09.2022

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 an accused in C.T. Case No.1412 of 2020 corresponding to Suliapada P.S. Case No.54 of 2020, pending in the Court of learned S.D.J.M., Baripada, for offences under Sections 306/354-B/507/509/34 of IPC read with Section 66(E)/67/67(A) of I.T. Act and Section 6 of the Indecent Representation of Women (Prohibition) Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge (Vigilance), Baripada, by order dated 16.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is allegation that one minor girl had relationship with one Sujit Majhi who is not the petitioner before this Court and photographs of the minor girl was taken and circulated in a WhatsApp group named as BINDAS BoY's group. It is submitted

that the petitioner is a member of the group and also an administrator. It is also stated by the learned counsel for the petitioner that because he is member of the group, he has been cited as an accused and he is in custody since 19.03.2022.

6. It is further submitted that two of the co-accused persons similarly circumstanced have been released on bail by this Court by order dated 19.05.2022 and 06.07.2022 in BLAPL Nos.3729 and 3183 of 2022 respectively. Hence learned counsel for the petitioner seeks bail inter alia on the ground of parity.

7. Learned counsel for State opposes the prayer for bail and submits that on the basis of recitals in the Case Diary that it is evidently clear that each of the group are responsible and he also relies on the statement of the informant who is the brother of the victim that even after the unfortunate incident in which the victim decided to end her life because of the ignominy of public glare, the petitioner and other members of the group continued to circulate her objectionable photographs and hence submits that in the case of this nature, it is not open to the Court to take into account the question of parity as advanced.

8. Considering the release of the co-accused and that since admittedly the deceased had relationship with one Sujit Majhi as noted, 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.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha