

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7033 of 2022

Manoj Swain

....

Petitioner

Mr. S.K. Mahanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

14.10.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned Senior Counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No.851 of 2022, pending in the Court of learned J.M.F.C., Khallikote, arising out of Khallikote P.S. Case No.354 of 2022, for commission of offences under Sections 399/402 of IPC read with Section 25(1-B) (a) of Arms Act and Section 4 and 5 of Indian Explosive Substances Act, 1908.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Khallikote, by order dated 16.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that co-accused persons have already been released on bail by this Court by order dated 04.08.2022 in BLAPL No. 6857 of 2022 and by

order dated 28.07.2022 in BLAPL No.6495 of 2022, hence inter alia on the ground of parity the petitioner seeks release on bail.

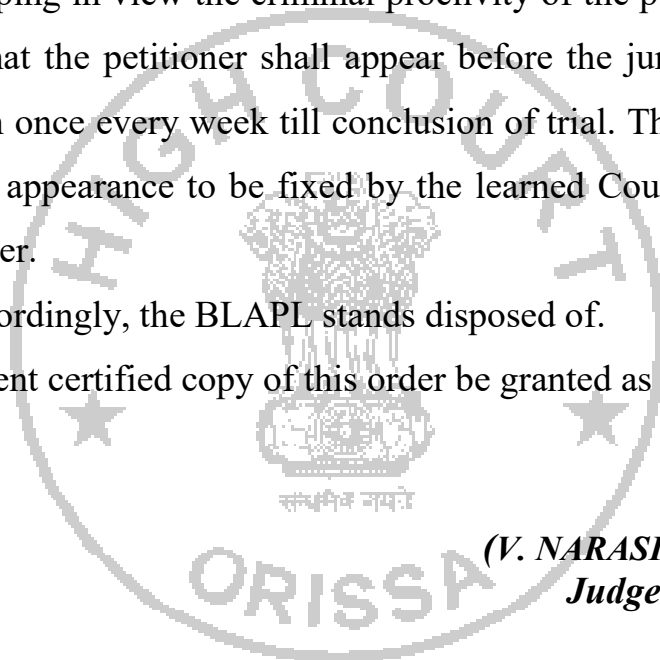
6. Learned counsel for the State opposes the prayer for bail on the ground of criminal antecedent which is borne out from the Case Diary as well as the rejection order.

7. Considering the release of the co-accused and filing of final form on 29.07.2022, 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. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial. The date and time of such appearance 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