

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7119 of 2022

Kabi Chandra Mallick

....

Petitioner

Mr. S.K. Baral, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.09.2022

Order No.

03.

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 connection with G.R. Case No.241 of 2017, pending before the learned J.M.F.C., Niali, arising out of Niali P.S. Case No.21 of 2017, for offences under Sections 147/148/302/435/120(B)/149 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 3rd Additional Sessions Judge, Cuttack, by order dated 22.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the allegations are omnibus in nature and taking note of the same, this Court by order dated 10.05.2021 in BLAPL No.3401 of 2021 directed to release of one Karunakar Rout, co-accused Pandab Bhoi by order dated 08.07.2021 in BLAPL No.3395 of 2021 and co-accused Balaram Bhoi by order dated 08.12.2021 in BLAPL

No.8580 of 2021. It is submitted that the petitioner is similarly circumstanced with the said co-accused persons.

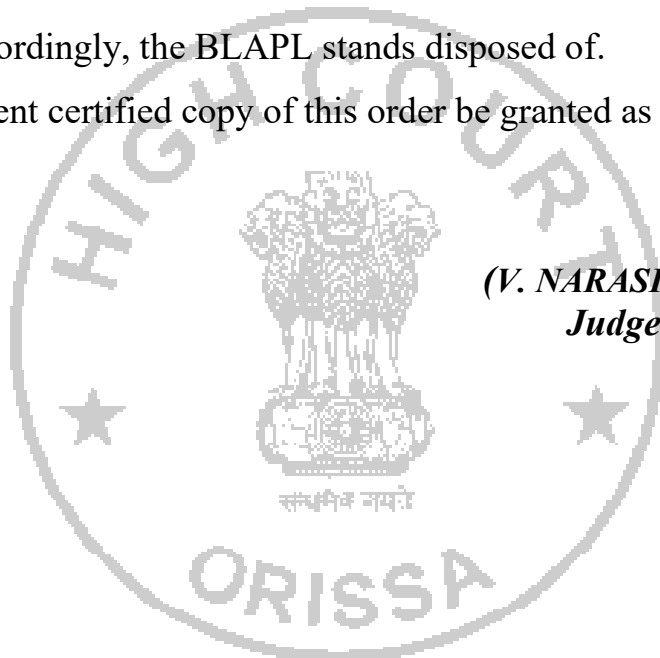
6. Learned counsel for the State was with his usual fairness did not dispute such assertion of the learned counsel for the petitioner.

7. Keeping in view that similarly placed accused persons have already released on bail and taking into account the age of the petitioner, 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. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge