

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7301 of 2022

Mithun Naik

....

Petitioner

Mr. S.K. Mahanty, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.08.2022

Order No.

01.

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 G.R Case No.851 of 2022 arising out of Tarasingh P.S. Case No.181 of 2022, pending in the file of learned S.D.J.M. Bhanjanagar, under Section 341/294/324/326/506/307 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bhanjanagar by order dated 14.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that in the meanwhile charge sheet has already been filed which is not disputed by the learned counsel for the State. It is submitted that further continuance of the petitioner in custody is not warranted.\

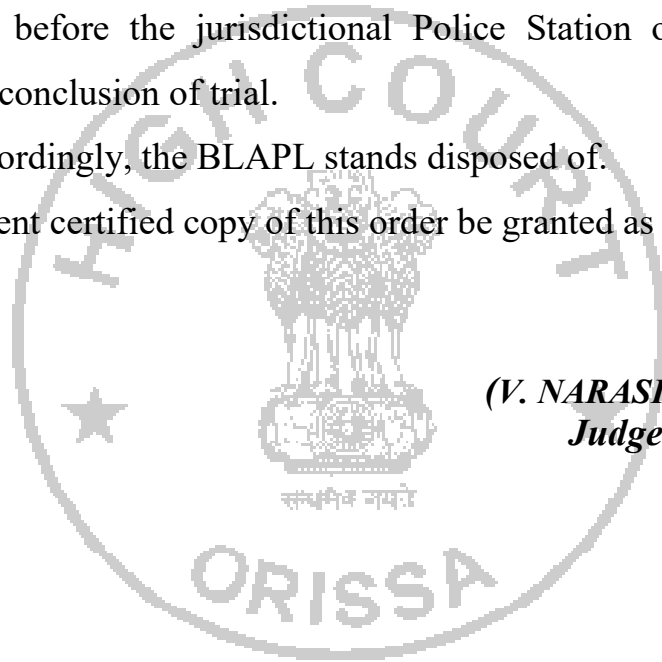
6. Taking into account the nature of allegation, it is submitted that co-accused Muna Paira has since being released on bail by the Additional District and Sessions Judge Bhanjanagar. Hence on the ground of parity the petitioner seeks release of the petitioner.

7. Considering the nature of allegations and release of the co-accused and filing of charge sheet, 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. Additionally it is directed that one of the sureties shall be his immediate family member and the petitioner shall appear before the jurisdictional Police Station once every week till the conclusion of trial.

8. Accordingly, the BLAPL stands disposed of.

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

Santoshi



(V. NARASINGH)
Judge