

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7437 of 2022

Ramesh Chandra Mallick

....

Petitioner

Mr. S.R. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.09.2022

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 G.R. Case No.583 of 2022, pending in the file of learned S.D.J.M., Dhenkanal, arising out of Dhenkanal Town P.S. Case No.264 of 2022, offence under Sections 420/467/468/471/120-B and 34 of the IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Dhenkanal by order dated 25.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is on a better footing than co-accused Golap who has been released on bail by this Court by order dated 25.08.2022 in BLAPL No.7451 of 2022. Hence he seeks release of the petitioner.
6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that it is the petitioner at whose instance the

crime of impersonation was committed by said Golap Nayak. Hence the petitioner cannot be treated at par with Golap Nayak.

7. Taking into account the release of the co-accused and the role ascribed to the petitioner, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

