

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7443 of 2022

Tutu @ Subrat Naik

....

Petitioner

Mr. A.K. Das-1, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.10.2022

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. (Sessions) Case No.161 of 2022 pending in the file of learned Addl. District and Sessions Judge-cum-Special Court, Kamakhyanagar, arising out of Kamakhyanagar P.S Case No.119 of 2017, for commission of offence under Sections 395/397 IPC and Sections 25(1-B)/27 of the Arms Act and Section 9(B)(1)(b) of the I.E Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Kamakhyanagar by order dated 26.07.2022 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 in custody since 30.06.2022 and the charge sheet

has been filed in the meantime. It is submitted that the co-accused have been released on bail by order dated 25.01.2022 in BLAPL No.10206 of 2021 and by order dated 23.09.2019 in BLAPL No.979 of 2019. Hence, he seeks release of the Petitioner, inter alia, on the ground of parity.

6. Learned counsel for the State opposes the prayer for bail.

7. Considering the release of the co-accused, 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 to ensure his presence on each date of trial.

8. Additionally, it is directed that one of the sureties shall be the immediate family member of the Petitioner.

9. Accordingly, the BLAPL stands disposed of.

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

PKS

