

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7503 of 2022

Deban @ Dibyalochan Behera

Petitioner

Mr. D. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
30.09.2022

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 connection with G.R. Case No.583 of 2022, pending in the file of the Court of learned S.D.J.M., Dhenkanal, arising out of Dhenkanal Town P.S. Case No.264 of 2022, for offences under Sections 420/467/468/471/120-B/34 of 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 similarly circumstanced with one Ramesh Chandra Mallick who has since been released on bail by this Court by order dated 21.09.2022 in BLAPL No.7437 of 2022, hence inter alia on the ground of parity the petitioner seeks release.

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 impersonation was committed.

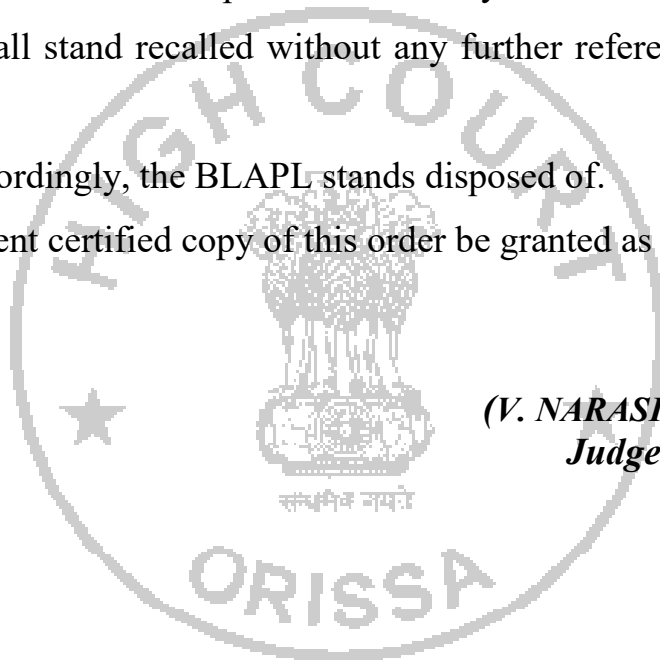
7. Taking into account the release of the co-accused and the role ascribed to the petitioner, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. While releasing the petitioner on bail, the learned Court below shall verify the criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent, this order shall stand recalled without any further reference to this Court.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge