

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7597 of 2022

***Gandhi @ Rashmi Ranjan
Sahoo***

....

Petitioner

Mr. S.K. Swain, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
09.11.2022**

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.203 of 2022 pending in the court of learned S.D.J.M., Dhenkanal, arising out of Sadar P.S. Case No.85 of 2022 for commission of the alleged offence under Sections 457/394 IPC.
4. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Addl. Sessions Judge, Dhenkanal by order dated 26.07.2022, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 13.03.2022 and as charge sheet has already been filed on 9.7.2022, his further continuance in custody is not warranted. It is also submitted, on instruction, that co-accused has been released on bail by order dated 12.07.2022 in BLAPL

No.3721 of 2022. Hence, inter alia, on the ground of parity the Petitioner seeks release on bail.

6. This Court, keeping in view that the Petitioner is a convict under Section 302 IPC, had called for the record in CRLA No.43 of 2006.

7. On perusal of the same, it is seen that by order dated 23.06.2010 in Misc. Case No.580 of 2010, this Court taking into length of detention directed release of the Appellant-Petitioner.

8. It is manifestly clear that during currency of the release, misutilizing the liberty granted, the Petitioner has involved himself in the present case.

9. Hence, this Court is not inclined to entertain this bail application.

10. Accordingly, the bail application stands rejected.

11. CRLA No.43 of 2006 be detagged from this BLAPL.

PKS

