

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7696 of 2022

Dusmant Kumar Sahoo

....

Petitioner

Mr. H.K. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.08.2022

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.537 of 2022 arising out of CID CB, Cyber Crime P.S. Case No.6 of 2022, pending in the file of learned J.M.F.C.(City), Cuttack, under Section 419/420/467/468/471/120-B & 34 of IPC read with Section 66-C & 66-D of I.T. and is in custody since 01.05.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge (Vigilance), Cuttack by order dated 26.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that co-accused similarly circumstanced have been released on bail by order dated 29.07.2022 in BLAPL No.5636 of 2022, dated 29.07.2022 in BLAPL No.5755 of 2022, dated 13.07.2022 in BLAPL No.5773 of

2022 respectively. Hence, seeks release inter alia on the ground of parity.

6. Learned counsel for the State on perusal of the order of rejection submits that the petitioner is not similarly circumstanced in as much as the mobile phone which was used in the crime was recovered from the petitioner and hence, it cannot be said that the petitioner is similarly circumstanced.

7. Taking into account the nature of the offence and 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.

8. Additionally, it is directed that the petitioner shall appear before the Investigating Officer once every seven days till the conclusion of trial and shall extend all cooperation. It shall be open to the Investigating Agency to seek variance of this order in the event the petitioner did not extend the desired cooperation.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi