

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 8115 of 2022**

***Bijay Kumar Rana***

....

***Petitioner***

Mr. A. Mishra, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. A. Pradhan, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**08.09.2022**

**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 accused in Udala P.S. Case No.375 of 2021 corresponding to C.T. Case No.1074 of 2021, pending in the Court of learned S.D.J.M., Udala, Mayurbhanj, for alleged commission of offences under Sections 420/120-B/34 of IPC.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned 1<sup>st</sup> Additional District & Sessions Judge, Baripada, by order dated 11.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner since charge-sheet has been filed on 26.08.2022, further continuance of the petitioner in custody is unwarranted.
6. It is also further submitted that in the meanwhile one of the co-accused was released on Anticipatory bail and another co-accused released by this Court in BLAPL No.11350 of 2021.

7. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the role ascribed to the petitioner, it cannot be said that the petitioner is similarly circumstanced and hence ground of parity as advanced cannot be taken into account.

8. Considering that the petitioner is in custody since 23.11.2021 and charge-sheet has already been filed and release of the co-accused though not similarly circumstanced, as rightly pointed out by learned counsel for the state, yet being cognizant of the Fact that the petitioner is stated to be the first offender, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

9. Additionally it is directed that the petitioner shall furnish cash security to the tune of Rs.1,00,000/-(Rupees one lakh) which shall be kept in a short term interest bearing account pledged in favour of the Court in seisin over the matter.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)  
*Judge*

*Ayesha*