

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8254 of 2022

Sudarsan Samal

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.09.2022

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 an accused in G.R Case No.1696 of 2022, pending in the file of learned S.D.J.M., Berhampur, arising out of Berhampur Sadar P.S. Case No.322 of 2022, under Sections 467/468/471/420/34 of IPC and is in custody since 06.08.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Berhampur by order dated 20.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is alleged that the petitioner fraudulently got ROR issued in his favour and such fraud came to light when the informant filed mutation case.

7. It is submitted by the learned Senior Counsel that the co-accused have already been released on anticipatory bail by this Court by order dated 22.08.2022 in ABLAPL No.9931 & 9932 of 2022, hence it is submitted that further continuance of the petitioner in custody is unwarranted.

8. Learned counsel for the State relying on the order of rejection submits that since the investigation is admittedly at nascent stage, the petitioner ought not to be released on bail.

9. Considering the release of the co-accused on anticipatory bail and the role ascribed to the petitioner and his period in custody and keeping in view that investigation has progressed substantially, 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.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge