

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8451 of 2022

Sidhanta Naik

....

Petitioner

Mr. S.K. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

23.11.2022

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. Since Mr. S.K. Das and associates have entered appearance on behalf of the petitioner, name of Mr. P.K. Nayak, and associates be deleted.
4. The petitioner is an accused in G.R. Case No.204 of 2022, pending in the file of learned S.D.J.M., Hindol, arising out of Rasol P.S. Case No.80 of 2022, for commission of alleged offences under Sections 341/323/294/427/395/506 and 3 of Public Property (Prevention of Damage) Act.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Hindol by order dated 24.08.2022 in the aforementioned case, the present BLAPL has been filed.
6. It is submitted by the learned counsel for the petitioner that charge sheet has already been filed on 02.08.2022 citing that the petitioner as an absconder. Subsequently he was taken into custody on

15.08.2022 and relying on the orders passed by the co-accused by this Court by order dated 13.10.2022, 10.11.2022, 28.09.2022 and 23.09.2022 in BLAPL No.8659, 10123, 9120, 4024 of 2022 respectively, the petitioner seeks release inter alia on the ground of parity.

7. Learned counsel for the State opposes the prayer for bail.

8. Considering the release of the co-accused as referred to hereinabove and that as the basis of implication of the petitioner being the statement of the co-accused and as 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 learned Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

