

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8467 of 2022

Sunil Kumar Ghadei

....

Petitioner

Mr. P. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.10.2022

Order No.

02.

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 C.T. Case No.4339 of 2022, pending in the file of learned S.D.J.M., Bhubaneswar, arising out of Saheed Nagar P.S. Case No.328 of 2022, alleged commission of offence under Sections 408/409/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the 4th Addl. Sessions Judge, Bhubaneswar by order dated 10.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the co-accused with greater complicity has already been released on bail by this Court by order dated 24.09.2022 in BLAPL No.8858 of 2022. Hence, seeks release inter alia on the ground of parity.

6. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 20.07.2022 and in the meantime as charge sheet has already been filed on 16.09.2022 as stated by the learned counsel for the State on instructions and as such further continuance of the petitioner in custody is not warranted.

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

8. Taking into account the nature of allegations and filing of charge sheet, this Court is persuaded to direct the release of the petitioner. Learned Court in seisin to fix the terms.

9. Additionally it is directed that the petitioner shall submit cash security /term deposit to the tune of Rs.1 lakh (Rupees One Lakh) only which shall be kept in short term interest bearing account pledged in favour of the Court in seisin and which shall be abide by the result of the trial.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi