

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8487 of 2022

Amar Kumar Choudhury ***Petitioner***

Mr. B. Das, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
10.11.2022

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 connection with G.R. Case No.706 of 2022, pending in the Court of the learned J.M.F.C.(P), Kujang, arising out of Paradeep P.S. Case No.224 of 2022, for alleged commission of offences under Sections 341/323/324/307/294/325/379/506/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Kujang, by order dated 26.08.2022 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 one Biplab Kumar Mallick has been released on bail by the learned Court in seisin by order dated 16.09.2022 in BLAPL

No.430 of 2022, hence it is submitted that the petitioner may be released inter alia on the ground of parity.

6. Learned counsel for the State opposes the prayer for bail submitting that specific overt acts attributed to the present petitioner.

7. Considering the release of the co-accused and the petitioner being in custody since 22.07.2022, 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. It is submitted by the learned counsel for the petitioner that the petitioner has no criminal antecedent. While releasing the petitioner on bail, the learned court in seisin over the matter shall verify criminal antecedent of similar nature of the petitioner. If it comes to the fore that the petitioner has any such criminal antecedent, this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha