

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8493 of 2022

***Kauri @ Sanjib Jena &
Another***

....

Petitioners

Mr. D.K. Swain, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
01.11.2022**

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in connection with C.T. Case No.839 of 2022, pending before the learned J.M.F.C., Chandikhole, arising out of Jenapur P.S. Case No.145 of 2022, for alleged commission of offences under Sections 143/144/506/384/307/379/149 of IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Chandikhole, by order dated 17.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that the petitioner No.1 is in custody since 03.06.2022 and the petitioner No.2 is in custody since 27.06.2022.

6. It is submitted that the co-accused has since been released on bail by the learned Court in seisin over the matter by order dated 14.10.2022 in BLAPL No.585 of 2022. Hence, on the ground of parity, the petitioners seek release.

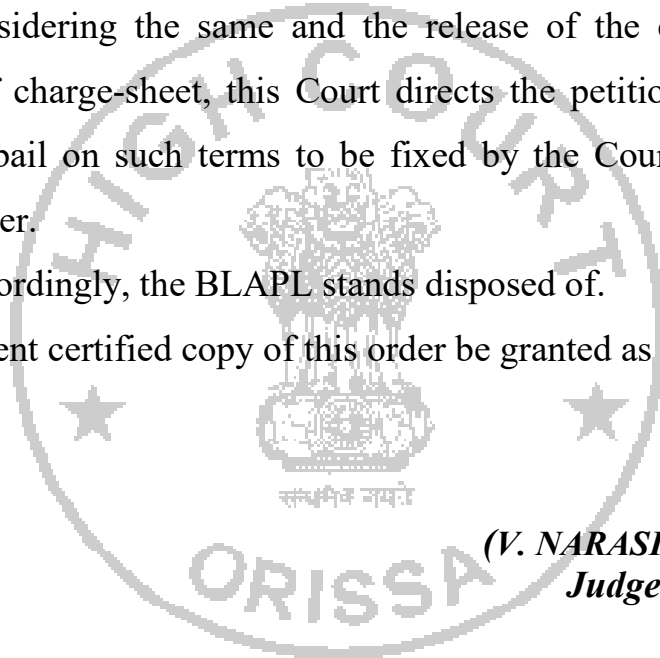
7. Learned counsel for the State opposes the prayer for bail relying on the injury report.

8. While considering the bail application of the co-accused, the learned Court in seisin over the matter has specifically stated that the allegations are omnibus in nature.

9. Considering the same and the release of the co-accused and filing of charge-sheet, this Court directs the petitioners to be released on bail on such terms to be fixed by 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