

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8508 of 2022

Aapi @ Kisori Naik

....

Petitioner

Mr. P.R. Barik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.09.2022

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 accused in S.T. Case No.36 of 2022 arising out of G.R. Case No.319 of 2021 corresponding to Sorada P.S. Case No.200 of 2021, pending in the Court of the learned J.M.F.C., Surada, for alleged commission of offences under Sections 302/201/34 of IPC read with Section 25(1-a)/27 of Arms Act.
4. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bhanjanagar, Ganjam, by order dated 26.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by learned counsel for the petitioner that one of the co-accused similarly circumstanced has been released on bail by this Court by order dated 27.07.2022 in BLAPL No.5449 of

2022, hence on the ground of parity, release of the petitioner is sought.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that on the basis of charge-sheet it cannot be said that the petitioner is similarly placed.

7. Considering that the petitioner is a lady aged about 58 years and release of the co-accused in terms of the proviso to Section 437(1), this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. It is made clear that the order passed herein shall not be cited as a precedent in respect of the co-accused.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha

(V. NARASINGH)
Judge

