

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8759 of 2022

Dusmanta Naik

....

Petitioner

Mr. S.R. Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakara Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.09.2022

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 an accused in G.R. Case No.177 of 2021 pending in the file of learned S.D.J.M., Hindol, arising out of Rasol P.S. Case No.53 of 2021, offence under Sections 379/34 of IPC and is in custody since 13.08.2022.
4. 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 30.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that co-accused has been released on bail by this Court by order dated 19.07.2021 in BLAPL No.5438 of 2021. Hence he seeks release of the petitioner.

6. Learned counsel for the State relying on the order of rejection submits that since the petitioner is stated to be involved in serious offences releasing him on bail at this stage is not admissible.

7. Taking note of the nature of allegations and the release of the co-accused on bail, this Court directs the petitioner to release on bail on such terms to be fixed by the learned Court in seisin over the matter so as to ensure his presence on each date of trial.

8. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every week till the conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

