

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8856 of 2022

Hrusikesh Patra @ Hrusi ***Petitioner***

Mr. B.K. Das, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
24.09.2022

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.212 of 2015 pending in the file of learned J.M.F.C. Aska, arising out of Dharakote P.S. Case No.34 of 2015, offence under Sections 324/326/307/120(b)/34 of IPC and Section 25 and 27 of the Arms Act and in custody since 26.09.2017.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Aska, Ganjam by order dated 09.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that because of his criminal proclivity, he has been remanded in the case at hand.

6. Perused the order of rejection.
7. It is further submitted by the learned counsel for the petitioner that the co-accused persons have been released on bail by the Court in seisin over the matter; hence he seeks release of the petitioner on the ground of parity.
8. Learned counsel for the State on the basis of rejection order submits that since evidently the petitioner has criminal antecedent, he ought not to be released on bail at this stage.
9. Final form has been submitted in 2015, which is taken on record.
10. Considering the basis of implication, 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.
11. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of investigation and certification of such appearance shall be submitted to the learned Court in seisin over the matter once every month.
12. Accordingly, the BLAPL stands disposed of.
13. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi