

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8881 of 2022

Suraj Buda @ Chahalu

....

Petitioner

Mr. S. Padhee, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.09.2022

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 C.T. Case No.542 of 2022, pending in the file of learned S.D.J.M., Jharsuguda, arising out of Brajrajnagar P.S. Case No.66 of 2022, offence under Sections 395/397 of IPC and is in custody since 04.03.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Jharsuguda by order dated 22.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 04.03.2022 and charge sheet has been filed on 05.07.2022.

6. Relying on the release of the co-accused by this Court by order dated 11.07.2022 in BLAPL No.3292 of 2022, the petitioner is seeking release inter alia on the ground of parity.

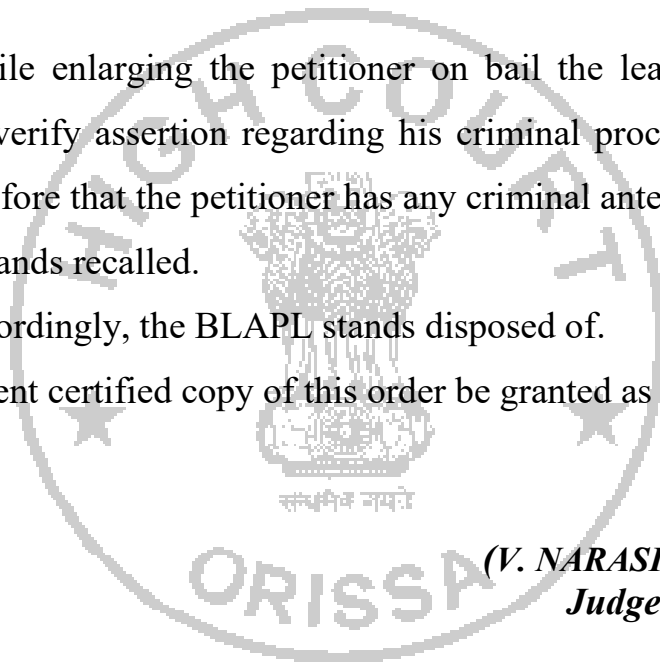
7. Learned counsel for the State opposes the prayer for bail.

8. Taking into account the recovery already effected, as borne out from the earlier order of this Court and that the petitioner has no criminal antecedent, 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.

9. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled.

10. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge