

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9239 of 2022

Mithun Sahu

....

Petitioner

Mr. S.R. Mohapatra, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. M. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.09.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 30.08.2021 in connection with Khandagiri P.S. Case No.453 of 2021 corresponding to C.T. Case No.2/5 of 2022 pending in the Court of learned 2nd Addl. Sessions Judge, Bhubaneswar for the alleged commission of offence under Sections 302/34 of IPC.
4. Petitioner's bail application was earlier rejected by this Court in BLAPL No.1709 of 2022. The present bail application has been filed because in the meantime several co-accused persons standing on the same footing have been released on bail. In particular, reliance has been placed on the order passed by this Court in BLAPL No. 8426 of 2022 in respect of co-accused, Simanchal Pradhan @ Jati. From the materials on record it is evident that he also stands on the same footing as the present petitioner.
5. In such view of the matter, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and

proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case and in case of even a single default, this order shall be treated as automatically cancelled and the said Court shall issue NBW to take him to custody again.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

