

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9272 of 2022

Pramod Kumar Sahoo

....

Petitioner

Mr. R.K. Pattanaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.09.2022

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 connection with G.R. Case No.964 of 2022, pending in the Court of learned J.M.F.C (R). Cuttack arising out of Cuttack Sadar P.S. Case No.171 of 2022, for alleged commission of offences under Sections 498-A/304-B/306/406/ read with Section 34 of the IPC and section 4 of D.P. act and is in custody since 22.04.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Cuttack by order dated 16.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel for the petitioner that though the FIR was lodged under Section 498-A/304-B/306/406/

read with Section 34 of the IPC and section 4 of D.P. Act and charge sheet has been filed inter alia under Section 306 of IPC and the other allied offences. Hence further continuance of the petitioner in custody is not warranted.

7. Learned counsel for the petitioner submits that one of the co-accused Prabodh Kumar Sahoo has been released on bail by this Court by order dated 12.08.2022 in BLAPL No.5332 of 2022, he seeks release of the petitioner inter alia on the ground of parity.

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

9. Considering the submissions of the learned counsel for the petitioner and filing of charge sheet under Section 306 of IPC as note hereinabove, 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.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi