

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9311 of 2022

Srikanta Kumbhar

....

Petitioner

Mr. Trilochan Nanda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
10.10.2022

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.884 of 2022 pending in the file of learned S.D.J.M., Bolangir, arising out of Bolangir Sadar P.S. Case No.249 of 2022, for offence under Sections 420/468/471/34 IPC and is in custody since 14.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Balangir by order dated 19.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that most of the co-accused persons have already been released either on regular bail or anticipatory bail by this Court. The orders are on

record. Hence, he seeks release of the Petitioner, inter alia, on the ground of parity and on the ground of filing of charge sheet.

6. Learned counsel for the State on the basis of the order of rejection opposes the prayer for bail, inter alia, on the ground that the Petitioner has criminal proclivity in as much as the Petitioner has 20 cases.

7. Taking into account the release of the co-accused persons and filing of the charge sheet, 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. While releasing the Petitioner on bail, the court in seisin over the matter is called upon to fix suitable terms so as to address the concern expressed by the learned Public Prosecutor, which is found to be cogent, so as to ensure that the Petitioner does not violate the terms of the bail order passed to present on each date of trial.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS