

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10021 of 2022

Shivam Kumar Dubey

....

Petitioner

Mr. B.K. Ragada, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

09.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in C.T. Case No.1078 of 2022 pending in the file of learned S.D.J.M. Jharsuguda, arising out of Belpahar P.S. Case No.101 of 2022, offence under Section 394 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Jharsuguda, by order dated 27.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner is in custody since 03.05.2022 and in the meanwhile charge sheet has already been submitted on 30.08.2022.
5. It is further submitted that the co-accused was released on bail by this Court by order dated 22.09.2022 in BLAPL No.7970 of 2022. Hence, on the ground of parity, the petitioner seeks release.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the manner in which the offence has been committed and also in view of the criminal antecedents as noticed by the learned Court below.

7. Considering the age of the petitioner and period of custody, 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.

8. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every week till the conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

