

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10320 of 2022

***Sadam Hossen @ Sk. Sadam
Hussen & others***

....

Petitioners

Mr. S.N. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
13.12.2022**

Order No.

02.

1. Heard learned counsel for the Petitioners and learned counsel for the State.

2. The Petitioners are accused in connection with C.T. Case No.892 of 2022 pending on the file of learned S.D.J.M., Balasore, arising out of Sahadevkhunta P.S. Case No.318 of 2022, for commission of the offence alleged under Sections 399/402 IPC and Section 27 of the Arms Act and Sections 4/5 of the Explosive Substances Act.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Addl. Sessions Judge, Balasore by order dated 14.10.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that the Petitioner Nos.1,3 and 4 have been released on bail by the learned 2nd Addl. Sessions Judge, Balasore I/c in the meanwhile. He places on record

the order dated 24.11.2022 passed by the learned 2nd Addl. Sessions Judge, Balasore I/c in Bail Application No.250/1279 of 2022 by which Petitioner Nos. 1,3 and 4 have been released on bail. The same is taken on record.

5. Hence, the prayer for bail in respect of Petitioner Nos. 1,3 and 4 is rendered infructuous.

6. It is submitted that Petitioner No.2 (Ramjan Lak) is in custody since 03.10.2022 on being remanded and seeks release on the ground of parity.

7. Learned counsel for the State opposes the prayer keeping in view the criminal antecedent of Petitioner No.2.

8. Taking note of release of the co-accused, this Court directs Petitioner No.2 (Ramjan Lak) to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. Since the Petitioner No.2 has been remanded in the case at hand, it is directed that the Petitioner No.2 shall appear before the jurisdictional police station once every week till conclusion of trial.

10. The BLAPL thus stands disposed of.

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

(V. NARASINGH)
Judge

PKS