

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9274 of 2021

Batakrushna Swain

....

Petitioner

Mr. Omkar Devdas,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.01.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard Mr. Omkar Devdas, learned counsel for the Petitioner and Mr. S.K.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 7th August, 2021 in connection with G.R. Case No.1170 of 2021 pending in the court of learned Nyadhikari, Gram Nayalaya, Puri corresponding to Puri Sadar P.S. Case No.117/2021 for the alleged commission of the offence under Sections 341/342/323/436/506/379/34 of I.P.C. It is alleged that the

present Petitioner being associated with several other persons armed with deadly weapons assaulted the informant and set fire to his thatched house resulting in burning of several valuable household articles. It is submitted that out of 12 accused persons, 8 persons have been granted anticipatory bail.

4. Learned Addl. Standing Counsel for the State, on the other hand, opposed the prayer for bail by submitting that the present Petitioner stands on a different footing than the co-accused persons, who have been released on bail.

6. Having regard to the submissions made, the materials on record and the submissions made by the learned counsel for the Petitioner that several co-accused persons have been granted anticipatory bail, I find no justified reasons to detain the Petitioner in custody any longer. The BLAPL is, therefore allowed.

7. Let the Petitioner- Batakrushna Swain be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case.

8. The BLAPL is disposed of.

9. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

