

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10453 of 2022

Trinath Majhi & Another

....

Petitioners

Mr. D. Sethi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in connection with G.R. Case No.399 of 2022, pending in the file of the learned J.M.F.C., Kashipur, arising out of Tikiri P.S. Case No.115 of 2022, for alleged commission of offences under Sections 143/147/294/323/341/506/307/149 of the IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Rayagada, by order dated 13.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that one of the named accused person Krupasindhu Majhi has since been released on anticipatory bail by this Court by order dated

27.10.2022 in ABLAPL No.13755 of 2022, hence on the ground of parity the petitioner seeks release.

6. It is further submitted by the learned counsel for the petitioners that co-accused Patadi Majhi has been released in the meanwhile by the learned Court in seisin over the matter.

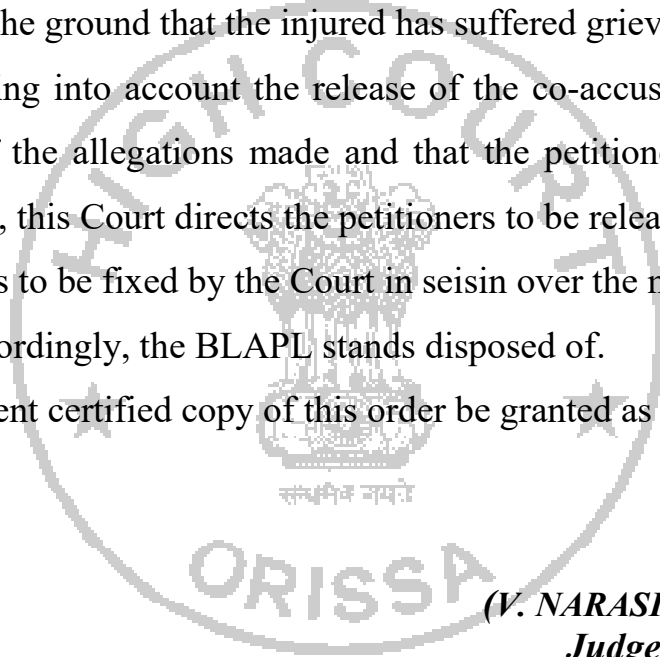
7. Learned counsel for the State places the statement of the injured in which the general allegations has been made and the overt act has been attributed to one Patadi Majhi.

8. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the injured has suffered grievous injury.

9. Taking into account the release of the co-accused and the generality of the allegations made and that the petitioners are the first offender, this Court directs the petitioners to be released on bail on such terms to be fixed by the 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

Ayesha