

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9443 of 2021

Siba Jalli and another

....

Petitioners

Mr. S.K.Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

07.01.2022.

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. Heard Mr. S.K.Jena, learned counsel for the Petitioners and Mr. S.K.Mishra, learned Addl. Standing Counsel for the State.
 3. The petitioners are in custody since 23rd January, 2021 in connection with Balugaon P.S. Case No.12/2021 corresponding to G.R. Case No.1/2021 pending in the court of learned J.M.F.C., Chilika for the alleged commission of the offence under Section 395/34 of I.P.C. Learned counsel for the

Petitioners submitted that in the mean time the case has been committed to the Court of learned Asst. Sessions Judge, Banpur in S.T. Case No.4/28 of 2021.

4. It is brought to the notice of this Court that out of seven accused persons, four have already been granted bail by this Court vide orders passed in BLAPL Nos.2637/2021, 5545/2021, 7566/2021 and 7662/2021, copies of which have been filed in Court today. Since there is nothing on record to show that the present Petitioners stand on a different footing than the co-accused persons who have already been released on bail, I find no justified reason to treat them differently. The BLAPL is, therefore allowed.

5. Let the Petitioners- Siba Jalli and Babul Behera be released on bail in the aforesaid S.T. case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that they shall appear before the trial court on each date of posting of the case without fail. It is made clear that if the Petitioners do not appear, it shall be open to the trial court to pass appropriate orders to take them into custody.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

