

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9501 of 2021

Jashobanta Mohanty @ Brahma Petitioner
Mr.Jagabandhu Sahu, Advocate

-Versus-

State of Odisha Opposite Party
Mr. G.C.Rout, ASC

CORAM:
JUSTICE R.K.PATTANAIK

Order No.

ORDER
12.01.2022

1. This matter is taken up by video conferencing mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. ★ This is an application under Section 439 Cr.P.C. for grant of bail to the petitioner in connection with Bolangir Town P.S. Case No. 420 of 2021 corresponding to G.R. Case No. 1108 of 2021 registered under Section 394 IPC pending in the Court of learned S.D.J.M., Bolangir on the grounds stated therein.
4. Perused the F.I.R. i.e. Anneuxre-1 and impugned order dated 23.09.2021 as at Annexure-2.
5. Gone through the contents of the F.I.R.
6. Learned counsel for the petitioner submits that another accused has been granted bail by the learned court below on 03.01.2022 and the present accused is on similar footing and that apart, when the occurrence took place, all the

accused persons including the informant had gathered for an occasion and considering the materials on record and that in the meantime, charge sheet has been filed on 13.12.2021, the petitioner should be released on bail with any conditions which is objected to by the learned counsel for the State on the ground that the accused is having a dozen of criminal cases to his credit.

7. Learned counsel for the petitioner submits that he is in judicial custody since 07.09.2021 and submitted that one of the accused persons has been granted bail by the learned court below. It is claimed that no recovery has been made from the petitioner. It is also submitted that the informant is also having similar criminal track record. No doubt, the petitioner is alleged of having criminal antecedent, but then, having regard to the fact that the charge sheet has been filed and another accused has been granted bail by the learned court below, the Court is of the humble opinion that by extending parity, the present accused should also be released on bail and accordingly, it is ordered.

8. In the result, it is directed that the petitioner be released on bail on furnishing a bail bond of Rs.25,000/- (rupees twenty five thousand) with one solvent surety for the like amount each to the satisfaction of the learned court below, who shall impose such other terms and conditions, as deemed just and proper, in the facts and circumstances of the case.

9. The BLAPL is accordingly disposed of.

10. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's

website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No. 4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 5143 and 515 dated 7th January, 2022.

(R.K.Pattanaik)
Judge

