

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10588 of 2022

Durbal Majhi

....

Petitioner

Mr. S.N. Mishra 4, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with C.T. Case No.90 of 2020, pending in the file of the learned JMFC, Boden, arising out of Boden P.S. Case No.96 dt. 01.08.2020, for alleged commission of offences under Sections 302/201/147/148/326/120-B of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Nuapada, by order dated 12.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel for the petitioner that numbers of co-accused have been released on bail and also stated that the petitioner is on a better footing. Hence, on the ground of parity, the petitioner seeks release.
5. The orders passed in respect of the co-accused are on record at Annexure-6 Series.

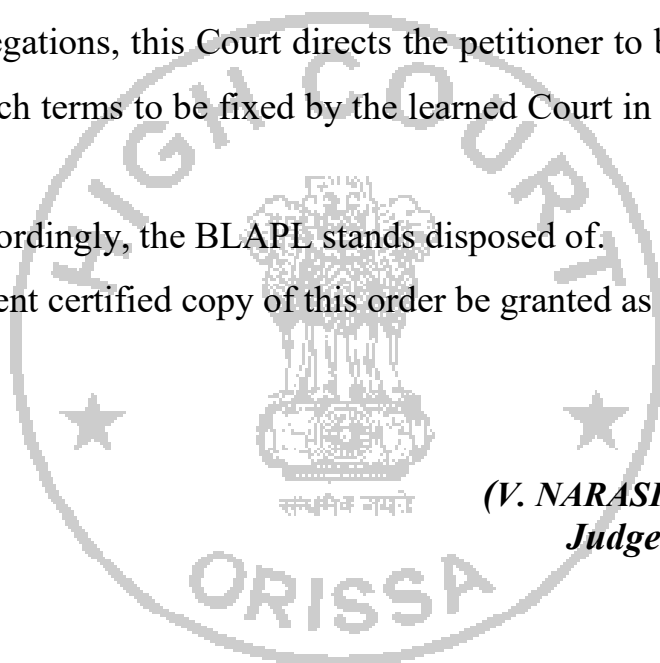
6. On the basis of the recitals in the Case Diary, learned counsel for the State submits that there are materials to indicate that the overt act is attributed to Patiram Majhi and Mana @ Gobinda Majhi.

7. It is seen that the said Mana @ Gobinda Majhi & Patiram Majhi have since been released on bail by this Court by order dated 22.09.2022 in BLAPL No.6153 of 2022 and by order dated 13.10.2022 and in BLAPL No.6122 of 2022 respectively.

8. Considering the release of the co-accused and the role ascribed to the present petitioner and keeping in view the omnibus nature of allegations, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.



(V. NARASINGH)
Judge

Ayesha