

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10622 of 2022

Gopinath Satapathy

....

Petitioner

Mr. S.K. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No.132 of 2021, pending in the Court of the learned J.M.F.C., Hinjili, arising out of Hinjili P.S. Case No.158 of 2021, for alleged commission of offences under Sections 506/192/420/465/467/468/120-B/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Chatrapur, Ganjam, by order dated 21.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is not a named accused and he has been remanded in

the case at hand and charge-sheet has already been filed on 31.12.2021, showing him as an absconder.

6. It is further submitted that the other co-accused have already been released on anticipatory bail by order dated 25.11.2021 in BLAPL Nos.14029 & 14034 of 2021 respectively. Hence, on the ground of parity, the petitioner seeks release.

7. It is also submitted that though the petitioner is innocent, he has been arrayed as an accused, because of his criminal proclivity.

8. Learned counsel for the State opposes the prayer for bail relying on the order of rejection.

9. Considering that the petitioner was an RI and the allegation is that because of his fallacious report, the sale deed was fraudulently executed and keeping in view the period of custody, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

10. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha