

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10652 of 2022

***Chittaranjan Pradhan @ Tikina
and others***

Petitioners

Mr. S.C. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

Ms. B. Mohanty, Adv(Informant)

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 petitioners, learned counsel for the informant and learned counsel for the State.
3. The petitioners are accused in G.R. Case No.592 of 2022, pending in the file of learned J.M.F.C, Tirtol, arising out of Tirtol P.S. Case No.634 of 2022, for commission of alleged offences under Sections 379/341/323/307/294/506/34 of IPC and are in custody since 18.10.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Jagatsinghpur by order dated 27.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that the allegations are omnibus in nature and that the co-accused namely Ranjit Ku. Sahoo, Prasant Ku. Sahoo, Nihit Ku. Sahoo, and Gyanranjan Pradhan were released on anticipatory bail by order of

this Court dated 14.11.2022 in ABLAPL No.13646 of 2022 and it is stated that as the petitioners are similarly circumstanced, their further continuance in custody is not warranted.

6. Learned counsel for the State as well as for the informant oppose the prayer for bail, inter alia, on the ground that the injuries suffered by the injured Kamadev is a grievous and hence, merely because the co-accused have been released on anticipatory bail that cannot be cited to claim parity.

7. On perusal of the injury report, it is seen that the injury is grievous and is on the right hand.

8. Perused the statement of the informant Baikuntha Pradhan.

9. Considering the tenor of the said statement and as almost all the accused named in the said statements barring the present petitioners have been released on bail and taking into account that there is a case and counter case, this Court is persuaded to direct release of the petitioners on bail on such terms to be fixed by the learned Court in seisin over the matter.

10. Additionally it is directed that the petitioners shall appear before the I.O. once every week on such date and time fixed by the learned Court in seisin till submission of final form.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge