

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11056 of 2022

***Hemanta Ranbida @ Hemanta
@ Thiye***

Petitioner

Mr. R.N. Rout, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
23.12.2022**

Order No.

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in G.R. Case No.2222 of 2022, pending in the file of learned S.D.J.M., Sambalpur, arising out of Dhanupalli P.S. Case No.192 of 2022, for commission of alleged offence under Section 395 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Sambalpur by order dated 28.10.2022 in the aforementioned case, the present BLAPL has been filed.
- 3-A This is the second journey of the Petitioner to this Court. Earlier the bail application was disposed of giving liberty to the Petitioner to move after filing of the charge sheet.
4. It is submitted by the learned counsel that the Petitioner is in custody since 11.06.2022 and since charge-sheet has been filed

on 07.10.2022, further continuance of the Petitioner in custody is not warranted.

5. Learned counsel for the State opposes the prayer for bail.

6. Learned counsel for the Petitioner relies on the order relating to the release of co-accused passed by this Court dated 01.12.2022 in BLAPL No.7395 of 2022 and the order dated 08.12.2022 in BLAPL No.10741 of 2022, and seeks release of the Petitioner, inter alia, on the ground of parity.

7. Taking into account filing of charge sheet and the period of custody and release of the co-accused as noted above, 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.

8. On instruction, learned counsel for the Petitioner has filed a memo in Court today stating therein that the Petitioner has no criminal antecedent. The same is taken on record.

9. While enlarging the Petitioner on bail, learned court below shall verify assertion regarding his criminal antecedent. If he has any criminal antecedent of similar nature, this order shall stand recalled.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS