

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11111 of 2022

Sunil Kumar Sharma

....

Petitioner

Mr. S.R. Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in G.R. Case No.607 of 2021 pending on the file of learned S.D.J.M., Hindol, arising out of Rasol P.S. Case No.193 of 2021, for commission of offence under Sections 379/120-B/34 IPC and Section 15(2)(4) of the PMPL Amendment Act and Section 3/4 of the PDPP Act.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C by the learned Asst. Sessions Judge, Hindol by order dated 28.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the Petitioner is in custody since 21.10.2022 and similarly situated co-accused has been released on bail by order dated 20.09.2022 in BLAPL

No.8596 of 2022. Hence, he seeks release of the Petitioner on the ground of parity.

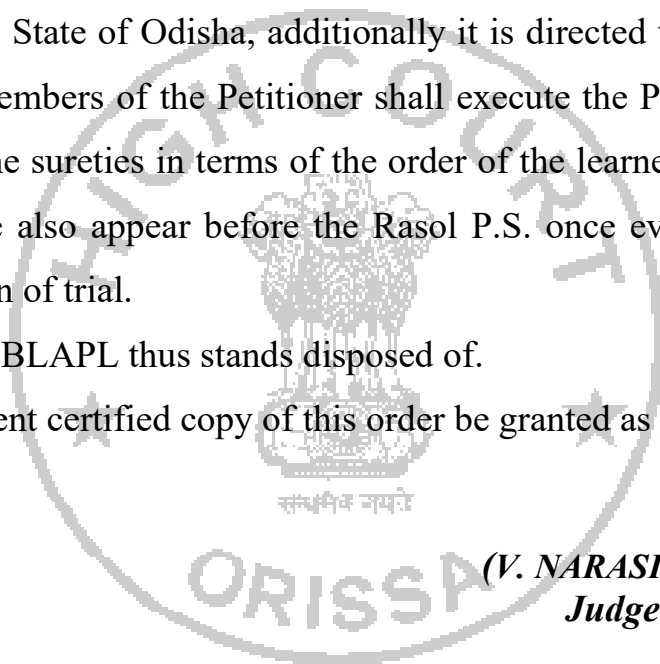
5. Learned counsel for the State opposes the prayer for bail.

6. Taking into account the nature of allegation, punishment prescribed, period of custody and release of the co-accused, 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.

7. To allay the apprehension of the learned Public Prosecutor regarding the presence of the Petitioner during trial as he does not belong to the State of Odisha, additionally it is directed that one of the family members of the Petitioner shall execute the P.R bond in addition to the sureties in terms of the order of the learned Court in seisin and he also appear before the Rasol P.S. once every month till conclusion of trial.

8. The BLAPL thus stands disposed of.

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



(V. NARASINGH)
Judge

PKS