

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11161 of 2022

Rahul Mahanandia

....

Petitioner

Mr. S.R. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.12.2022

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.554 of 2021, pending in the file of learned S.D.J.M., Bonai, arising out of Koida P.S. Case No.78 of 2021, for commission of alleged offences under Sections 506/507/384/34 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bonai by order dated 01.11.2022 in the aforementioned case, the present BLAPL has been filed.
4. Perused the order of rejection.
5. It is submitted by the learned counsel for the petitioner has been remanded in this case and is in custody since 02.10.2022 and since charge-sheet has been filed on 05.04.2022, his further continuance in custody is uncalled for.
6. Copy of the charge sheet is on record.

7. Learned counsel for the petitioner submits that one of the co-accused Arjun Rana @ Kapil Pathak @ Rahul who is stated to be the principal accused has since been released on bail by this Court by order dated 06.12.2022 in BLAPL No.10956 of 2022. Hence, he seeks release inter alia on the ground of parity.

8. Learned counsel for the petitioner opposes the prayer for bail.

9. Considering the nature of allegations and release of the co-accused as noted, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

10. Additionally, it is directed that one of the sureties shall be immediate member of the family who will execute a P.R. bond in addition to the sureties as fixed by the learned Court in seisin.

11. It is further directed that the petitioner shall appear before the jurisdictional police station once every month on such date and time to be fixed by the learned Court in seisin over the matter till conclusion of trial.

12. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi