



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.973 of 2025

Kabir Khosla

.... **Petitioner**

Mr. S. K. Rout, Advocate

-Versus-

State of Odisha

.... **Opposite Party**

Mrs. U. Padhi, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

25.03.2025

Order

No.

01.

1. Heard learned counsel for the petitioner and State.
2. Instant petition under Section 483 BNSS is filed for release of the petitioner on bail in connection with C.T. Case No.53 of 2024 pending in the file of learned Assistant Sessions Judge, Koraput corresponding to Laxmipur P.S. Case No.78 of 2023 on the grounds stated.
3. Perused the FIR as at Annexure-1 and rejection order i.e. Annexure-3. In course of hearing, learned counsel for the petitioner produced copies of the orders in BLAPL Nos.9804 and 10438 of 2023 and submits that the accused persons therein have been released on bail. It is further submitted that the petitioner is similarly situated like the accused, namely, Rahul Khosla, who assaulted the injured by means of a knife. Considering the same and since he is in custody from 28th July, 2023, it is submitted that the Court should allow the petitioner to go on bail. While claiming so, Mr. Rout, learned counsel for the petitioner refers to the deposition of the injured examined as P.W.1 during trial and extract order dated 20th March, 2024 of the learned Additional Sessions Judge, Koraput



pursuant to the order in BLAPL No.80 of 2024 and the same are gone through. With such submission release of the petitioner is pleaded. Mr. Pradhan, learned ASC for the State on the other opposed release of the present accused considering the nature of allegations made to reveal from the FIR and commencement of trial, in the meantime. The accused claimed to be on equal footing and is in custody since 2024. The other two accused persons have been granted bail in the year 2023. The petitioner, as it appears from the evidence of the injured, namely, P.W.1, has assaulted him like the co-accused, namely, Rahul Khosla. In fact, the assault by the accused persons, namely, Rahul Khosla and Kiran Kumar was by means of knife. It is informed to the Court that the trial is in progress. Considering the above facts and objection of Mr. Pradhan, learned ASC for the State and since similarly situated accused named above is on bail, the petitioner, who has been custody for nearly one and half years, in the considered view of the Court, should be allowed to go on bail with conditions.

4. Accordingly, it is ordered.

5. In the result, the petition under Section 483 BNSS stands allowed. Consequently, the petitioner is directed to be released on bail in connection with C.T. Case No.53 of 2024 arising out of Laxmipur P.S. Case No.78 of 2023 subject to him furnishing a bail bond of Rs.50,000/-(rupees fifty thousand) with one solvent surety for the like amount to the satisfaction of the learned Assistant Sessions Judge, Koraput, who shall impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall attend the trial on each date of posting without fail and not to tamper with evidence in any manner, whatsoever and at the same, to furnish an



undertaking at the time of release not to cause any harm to the injured and other material witnesses, while on bail.

6. The BLAPL is disposed of.
7. Urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge

TUDU

Signature Not Verified

Digitally Signed
Signed by: THAKURDAS TUDU
Reason: Authentication
Location: OHC, CTC
Date: 26-Mar-2025 12:20:53

