



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CRLA No.570 of 2025**

***Ulash Dalei***

...

***Appellant***

*Mr. J. Sahoo, Advocate*

*-versus-*

***State of Odisha & another***

...

***Respondents***

*Mr. M.R. Patra, Addl.PP*

**CORAM:**  
**JUSTICE G. SATAPATHY**  
**ORDER(ORAL)**  
**24.02.2026**

**Order No.**

**03.**

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This criminal appeal Under Section 14-A(2) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 together with amendment Act, 2016 (in short, "the Act") in nature of bail is directed against the impugned order dated 19.03.2025 passed by the learned Addl. Sessions Judge-cum-Special Judge, Khallikote in Special G.R. Case No. 09 of 2020 arising out of Khallikote P.S. Case No.266 of 2020 refusing to grant bail to the appellant for commission of offence punishable U/Ss. 147/148/323/324/294/326/ 307/ 302/ 149 of IPC r/w.Sec.3(1)(r)(s)/3(2)(v)(va) of the Act, on the main allegation of committing murder of one Pintu Das by assaulting him with sword, along with co-accused persons by taking advantage of his caste.
3. Heard, Mr. Jyotirmaya Sahoo, learned counsel for the appellant and Mr. M.R. Patra, learned Addl. Public Prosecutor in the matter and perused the



record. None appears for the victim despite being duly intimated as apprised by learned Addl. PP.

4. It is undisputed that the appellant is in custody since 11.07.2020, but the trial is yet to be concluded, however, co-accused Sukanta Palei in CRLA No. 628 of 2020, Sapan Dalei in CRLA No. 671 of 2022 and Kanha Panda @ Debi Prasad Panda in CRLA No. 784 of 2023 have already been granted bail by two co-ordinate Benches of this Court. In the context of parity, this Court considers it proper to reiterate the law laid down in ***Satender Kumar Antil Vrs. Central Bureau of Investigation; 2022 SCC Online SC 825***, wherein at paragraph-71, the Apex Court *inter alia* has observed as follows :-

***"71. Uniformity and certainty in the decisions of the court are the foundations of judicial dispensation. Persons accused with same offence shall never be treated differently either by the same court or by the same or different courts. Such an action though by an exercise of discretion despite being a judicial one would be a grave affront to Articles 14 and 15 of the Constitution of India."***

5. In the wake of aforesaid and after having considered the rival submissions and taking into consideration the nature and gravity of the offences as alleged against the appellant vis-à-vis the accusations sought to be brought against him and regard being had to the pre-trial detention of the appellant in custody for last more than five and half



years and keeping in view grant of bail to co-accused standing on similar footing and taking into account the other circumstances on record in entirety including the inherent right of the accused to be presumed innocent until proven guilty at the trial, this Court without expressing any opinion on merits, admits the appellant to bail.

6. Hence, the Criminal Appeal stands allowed and the impugned order is hereby set aside. Consequently, the appellant be released on bail on such terms and conditions as deems fit and proper by the learned Court in seisin of the case.

A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

**(G. Satapathy)**  
**Judge**

*S.Sasmal*