ITEM No.10 Court No. 4 SECTION IIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 3761/2000
(From the judgement and order dated 16/08/2000 in CRLA 193/97
of The HIGH COURT OF ORISSA AT CUTTACK)

KALU @ DURYADHAN PRADHAN Petitioner (s)

VERSUS

STATE OF ORISSA Respondent (s)

(With Appln(s). for bail)
(With Office Report)

Date : 10/11/2000 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. Anukul Chandra Pradhan,Adv.
Mr. Shiv Sagar Tiwari,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

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We permit the petitioner to move the High Court for suspension of sentence again by specifically showing that the role attributed to this petitioner is not in any way worse than the role attributed to the other co-convicts to whom the High Court has granted bail by suspending the sentence passed on them as per order dated 5.6.1998. If any new application is filed by the petitioner, we make it clear that denial of the same benefit to this petitioner would be justified only if it is shown that his role in the occurrence was is either different from others or worse than the others who were released on bail.

With these observations this Special Leave Petition is disposed of.

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(N.K. GOEL) (H.K. BHATIA) @@
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COURT MASTER COURT MASTER@@
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