

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1503/2023
(ARISING @ SLP (CrI) No.3241/2023)

PRADHANI JANI

APPELLANT(S)

VERSUS

THE STATE OF ODISHA

RESPONDENT(S)

O R D E R

1. Leave granted.
2. The appellant is aggrieved by the rejection of his application for bail.
3. The perusal of the paper books would reveal that various applications filed by various accused have been entertained by different learned Single Judges of the same High Court. In many of the High Courts, the practice followed is that the applications arising out of the same FIR should be placed before one Judge. However, it appears that it is not the practice in Orissa High Court. In the present case, we have come across orders passed by at least three different Judges in the applications of various accused arising out of same FIR.
4. Such a practice leads to anomalous situation. Certain accused are granted bail whereas certain accused for the very same crime having similar role are refused bail.
5. We, therefore, quash and set aside the impugned order dated 31.01.2023 and remand the matter back to the High Court. The High Court is requested to consider the effect of the orders passed by the other coordinate Benches and pass orders afresh. The same shall be done within a period of one month from today.

6. The Registrar (Judicial) of the Registry of this Court is directed to forward a copy of this order to the Registrar General of the Orissa High Court, who is requested to take note of the aforesaid and consider passing appropriate orders so that contrary orders in the same crime are avoided.

7. The appeal is, accordingly, allowed.

8. Pending application(s), if any, shall stand disposed of.

.....J
(B.R. GAVAI)

.....J
(SANJAY KAROL)

NEW DELHI;
MAY 15, 2023

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CRIMINAL APPEAL NO. 1503/2023 @ SLP (CrI) No.3241/2023

(Arising out of impugned judgment and order dated 31-01-2023 in
BLAPL No. 11629/2022 passed by the High Court of Orissa at Cuttack)

PRADHANI JANI

APPELLANT(S)

VERSUS

THE STATE OF ODISHA

RESPONDENT(S)

(Interim Relief Prayer for Bail)

Date : 15-05-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE SANJAY KAROL

For Appellant(s) Mr. Jitendra Mohapatra, Adv.
Mr. Bhuwan Raj, AOR
Ms. Priyam Agarwal, Adv.
Ms. Jasleen Kaur Sawhney, Adv.

For Respondent(s) Mr. Suwendu Suvasis Dash, AOR
Ms. Swati Vaibhav, Adv.
Ms. Shruti Vaibhav, Adv.
Ms. Priyankoo Anjan Gogoi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeal is allowed, in terms of the signed order.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)

(Signed order is placed on the file)