

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 39 of 2022

Chiku @ Rajesh Behera

...

Petitioner

Mr. P.S. Nayak, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P. Tripathy,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

31.01.2022

Order No.

1.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 03.09.2021 in connection with Jajpur Sadar P.S. Case No.226 of 2021 corresponding to C.T. Case No.1810 of 2021 pending in the Court of learned S.D.J.M., Jajpur for the alleged commission of offence under Sections 302/34 of IPC.
4. The case was initially registered under Section 302/34 of IPC, but charge sheet was submitted under Section 304 of IPC.
5. Having regard to the submissions made, the materials on record, the period of detention already undergone and in particular upon going through the statements of the wife of the deceased recorded under Section 161 Cr.P.C., I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court

on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of Covid-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No. 4587, dated 25th March, 2020, modified by Notice No. 4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

(Sashikanta Mishra)
Judge

A.K. Rana

