

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 239 of 2022**

|                        |     |                                                                     |
|------------------------|-----|---------------------------------------------------------------------|
| <b>Ratna Mahanand</b>  | ... | <b>Petitioner</b><br>Mr. S.K. Joshi, Advocate                       |
| - Versus -             |     |                                                                     |
| <b>State of Odisha</b> | ... | <b>Opposite Party</b><br>Mr. P. Tripathy,<br>Addl. Standing Counsel |

**CORAM:  
JUSTICE SASHIKANTA MISHRA**

**ORDER  
01.02.2022**

**Order No.**  
**1.**

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 24.10.2021 in connection with Muribahal P.S. Case No.177 of 2021 corresponding to G.R. Case No.170 of 2021 pending in the Court of learned J.M.F.C., Muribahal for the alleged commission of offence under Sections 364-A/34 of IPC.
4. It is submitted that the name of the petitioner does not find place in the FIR and that except for a bald statement of the victim regarding his presence, there is no other materials to show his involvement in the occurrence. It is further submitted that co-accused persons, Rushi Pradhan and Digambar Pradhan have already been released on bail by order passed by the learned Addl. Sessions Judge, Kantabanjhi.
5. Learned Addl. Standing Counsel has opposed the prayer for bail by submitting that the petitioner was a part of the group which had committed the alleged occurrence.

6. Having considered the rival submissions, the materials on record, the period of detention already undergone as also the fact that the co-accused persons, who have been directly implicated in the case, have already been released on bail, 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.

7. BLAPL is accordingly disposed of.

8. 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 25<sup>th</sup> March, 2020, modified by Notice No. 4798, dated 15<sup>th</sup> April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7<sup>th</sup> January, 2022.

*A.K. Rana*

**(Sashikanta Mishra)**  
**Judge**