

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 292 of 2022

Debran Nail @ Bulu & Others		Petitioners Mr. J.N. Panda, Advocate
	-Versus -	
State of Odisha & Others		Opposite Parties Mr. P. Tripathy, ASC.

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
25.07.2022

Order No.
04.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. Learned counsel for the petitioners wants to withdraw the bail application in respect of petitioner nos. 1 and 4, Debraj Naik and Mishra Naik respectively.
4. The bail application in respect of petitioner nos. 1 and 4 is hereby withdrawn.
5. The petitioner no. 2 is in custody since 20.07.2021 and petitioner no.3 is in custody since 28.08.2021 in connection with Th. Rampur P.S. Case No.71 of 2021 corresponding to C.T. Case No.722 of 2021 pending in the Court of learned S.D.J.M., Bhawanipatna for the alleged commission of offence under Sections 302/201/435/34 of IPC.
6. It is alleged that the petitioner nos. 2 and 3 being associated with one Debraj Naik and Mishra Naik, who are sons of petitioner no.2, brutally assaulted the deceased by

means of axe and lathis causing grievous injuries on his person, which ultimately resulted in his death. The role of the petitioner nos. 2 and 3 came to light on the basis of the statement of one Rabi Chandra Bisi recorded under Section 164 of Cr.P.C. However, his statement differs from his statement recorded under Section 161 Cr.P.C.. Secondly, the allegations made in the FIR appear to be some what general in nature.

7. Considering the above facts as also taking into account the detention of the petitioner no. 2 and 3 in custody, who are ladies, I am inclined to allow the prayer for bail. Let the petitioner nos. 2 and 3 Siren Naik and Panchami Naik respectively 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 they shall personally appear before the trial Court on each date of posting of the case without fail.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana