

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 377 of 2022

Bhima Madhi and others

....

Petitioners

*Mr. Jugala Kishore Panda,
Advocate*

-Versus -

State of Odisha

Opposite Party

....

*Mr. P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

30.06.2022

Order No.

2.

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. The petitioners are in custody since 30.09.2021 in connection with Kalimela P.S. Case No. 216 of 2021 corresponding to G.R. Case No. 419 of 2021 pending in the Court of learned J.M.F.C., Motu for the alleged commission of offence under Sections 302 of IPC.
4. It is alleged that the petitioners committed the murder of the father and mother of the informant by means of a sharp cutting weapon. There are no eyewitnesses to the occurrence. The only material against the petitioner is his disclosure statement under Section 27 of the India Evidence Act. In the meantime, the trial has commenced with as many as six witnesses being examined including the informant and other material witnesses. From the

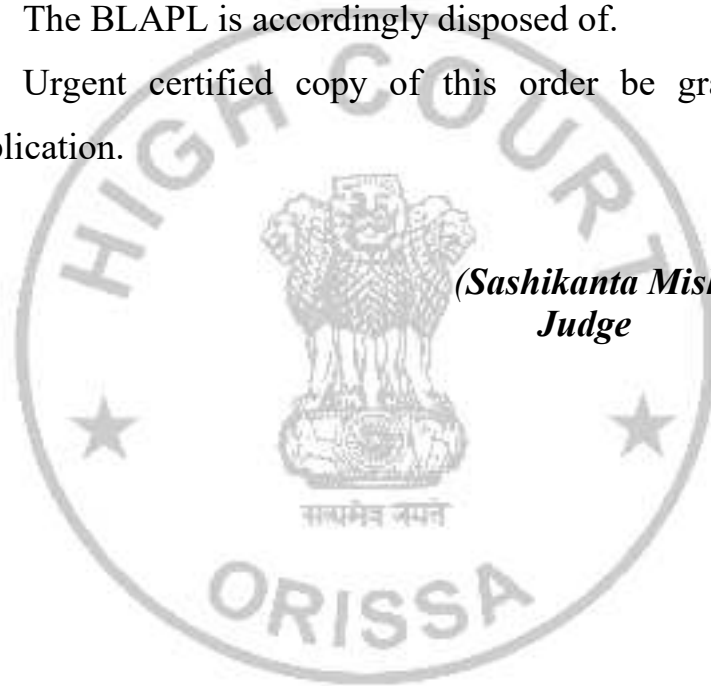
copies of depositions of the said witnesses, it is seen that none of them have supported the case of prosecution and have turned hostile.

5. Considering the above facts and taking into account the period of detention of the petitioners in custody, I am inclined to allow the prayer for bail. Let the petitioners 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.

6. The BLAPL is accordingly disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge



B.C. Tudu