

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.661 of 2022

Jhunu Naik

....

Petitioner

Mr. C.R.Pattnaik
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.7.2022.

Order No.

04.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 17th August, 2020 in connection with Hindol P.S. Case No.64/2020 corresponding to C.T. (Sessions) Case No.11/2021(G.R. Case No.283/2020) pending in the court of learned Sessions Judge, Dhenkanal for the alleged commission of the offence under Sections 341/323/307/302/34 of I.P.C.

4. The allegation is that the Petitioner, who is the daughter of one Gangadhar Naik, went to the house of the informant along with her father, brother and sister and assaulted the father of the informant by means of a bamboo stick causing injuries on his head. Subsequently, the injured succumbed in the Hospital. It is submitted that the allegations are omnibus in nature and in any case there is no evidence of any premeditation in the act of the accused persons. That apart, nothing was seized from the present Petitioner. The Petitioner is a lady and has been languishing in jail custody for nearly two years without commencement of trial.

5. Considering all the above facts and in particular taking into account the detention of the Petitioner in custody without trial, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that she shall appear before the court below on each date of posting of the case without fail.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

