

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No 786 of 2022

Siba Prasad Sahoo

....

Petitioner

Mr. B. Mishra, Advocate

-Versus -

State of Odisha

Opposite Party

....

*Mr. P.Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
29.07.2022**

**Order No.
3.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 10.12.2021 in connection with Chandanpur P.S. Case No. 166 of 2021 corresponding to G.R. Case No. 412 of 2021 pending in the Court of learned Sessions Judge, Nayagarh for the alleged commission of offence under Sections 302/201/120-B/34 of IPC.
4. It is alleged that the petitioner and one Naba Pradhan killed the deceased by mixing poison with alcohol and making him drink the same. FIR was lodged by the Sarapanch of Patia G.P. without naming anybody. The petitioner's complicity was ascertained on the basis of CCTV footage of a medicine store in which he was seen riding on the pillion of a motorcycle in which the deceased was also present and the said Naba Pradhan was the rider. Further,

Naba Pradhan is said to have confessed before police of committing the crime along with the present petitioner. Naba Pradhan has also given a statement leading to discovery of the poison as well as liquor bottles. Apart from the above, there is no other independent material showing the involvement of the petitioner in the alleged occurrence.

5. Taking into consideration all the above facts as also the period of detention in custody, 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. The BLAPL is disposed of.

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

(Sashikanta Mishra)
Judge