

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.742 of 2021

Budhia Gouda

....

Petitioner

Mr.S.K.Mohanty, Advocate

-versus-

State of Odisha

....

Opp.Party

Ms.S.Mishra, ASC

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
5.4.2022**

Order No.

5.

1. Heard Mr.Mohanty, learned counsel for the Petitioner and Ms.Mishra, learned Additional Standing Counsel for the State.

2. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner in connection with S.T.Case No.114 of 2019 (G.R.Case No.63 of 2019) arising out of Kabisuryanagar P.S.Case No.64 of 2019 pending in the court of the learned Additional District and Sessions Judge, Kodala for alleged commission of offences under Sections 498-A/494/302/201/34 of the I.P.C..

3. It is submitted that though the Petitioner is inside custody since 21.03.2019, charge is yet to be framed for commencing the trial. It is further submitted that there is no direct eyewitnesses to the occurrence and the proposed evidences are circumstantial in nature.

4. Upon hearing Ms.Mishra, learned Additional Standing Counsel for the State and considering the period of detention of

the Petitioner inside custody and delay in commencement of trial as well as the circumstances of the case, it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions to be fixed by the learned court below in seisin over the matter, including the condition that he shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

5. The BLAPL is disposed of.

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

(B.P. Routray)
Judge

C.R.Biswal

