

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 821 of 2022

Nidhiram Swain

....

Petitioner

Mr. D.K. Sahoo, Adv.

- Versus -

State of Odisha

....

Opp. Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

26.08.2022

Order No.

02.

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 04.07.2021 in connection with Kendrapara Sadar P.S. Case No.376 of 2021 corresponding to G.R. Case No.1618 of 2021 pending in the Court of learned Addl. District and Sessions Judge, Kendrapara for the alleged commission of offence under Sections 341/506/302/34 of IPC.
4. It is alleged that the petitioner committed the murder of the deceased by assaulting him with a bamboo stick but FIR however, names two other persons as having started assault in which the petitioner is said to have joined, but basing on the statement of the eye-witnesses, the names of the other two persons have been deleted from the charge sheet and the petitioner alone is now alleged to have committed the occurrence. It is submitted that the petitioner is aged about 70 years and the occurrence took place because of a civil dispute between the parties.
5. Considering the submissions as above, the materials on record and 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. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

