

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 832 of 2022

Nabakishore Pradhan

.... **Petitioner**

Ms. B. Mishra, Adv.

- Versus -

State of Odisha

.... **Opp.Party**

Mr. P. Tripathy, Addl. Standing Counsel.

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.09.2022

Order No.
03.

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 11.12.2021 in connection with Chandapur 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 498-A/302/304-B/34 of IPC.
4. It is alleged that the petitioner and one Siba Prasad Sahoo killed the deceased by mixing poison with alcohol and making him drink the same. FIR was lodged against unknown persons. Petitioner's complicity was ascertained on the basis of the CCTV footage of a nearby medicine store in which he was seen riding a motor cycle along with the deceased and co-accused. Further, the petitioner is said to have confessed before the police of committing the crime along with co-accused and also gave recovery of the poison as well as liquor bottles. Apart from the above, there is no other acceptable evidence to show the complicity of the petitioner in the offence. The co-accused,

namely, Siba Prasad Sahoo has been granted bail by this Court as per order passed in BLAPL No. 786 of 2022.

5. Taking into consideration all the above facts 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

