

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 871 of 2022

Aju @ Ajaya Bagarty

....

Petitioner

Mr. S. Dwibedi, Adv.

- Versus -

State of Odisha

.... Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

13.10.2022

Order No.

3.

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 31.03.2021 in connection with Balliguda P.S. Case No.58 of 2021 corresponding to S.T. Case No.70 of 2021 pending in the Court of learned Addl. Sessions Judge, Balliguda for the alleged commission of offence under Sections 302/201/34 wof IPC.
4. Though the prosecution allegation is that the petitioner killed the deceased and threw the dead body in the jungle, yet the same is only on the basis of their own confessional statement recorded under Section 27 of the Evidence Act. There is no other independent material showing their complicity in the alleged occurrence.
5. Considering the above fact 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 accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

