

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1207 of 2022

Khetra Mani Naik & Another

....

Petitioners

Mr. B.R. Tripathy, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. S.K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.04.2022

Order No.

3.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 03.01.2022 in connection with Rayagada P.S. Case No.01 of 2022 corresponding to G.R. Case No.01 of 2022 pending in the Court of learned S.D.J.M., Rayagada for the alleged commission of offence under Sections 302/34 of IPC.
4. As it appears, the occurrence arose out of a dispute relating to drainage of water between two families. A free fight ensued between the members of both the families, in course of which the petitioners are said to have assaulted the deceased by means of axe and fist blows, due to which she died.
5. Considering the nature of allegations and the fact that the occurrence appears to have arisen out of a sudden quarrel without any premeditation, I am inclined to allow the prayer for bail. Let the petitioners 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 they 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