

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1269 of 2022

Tima @ Tina Hembram and another Petitioners

Mr. S.K.Biswal
Advocate

-versus-

State of Odisha Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
25.3.2022.

Order No.

04.

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 15th June, 2020 in connection with Basta P.S. Case No.143/2020 corresponding to S.T. Case No.3/240 of 2022/2021 pending in the court of learned 2nd Addl. Sessions Judge, Balasore for the alleged commission of the offence under Sections 302/201/34 of the I.P. C.
4. The Prosecution allegation is that the present Petitioners, who are the brothers of the deceased, being associated with

some other villagers committed his murder. The statement of the mother of the deceased clearly shows that the deceased himself was the aggressor and at the relevant time was moving around in the village in an intoxicated condition carrying a deadly weapon and also threatened to rape his own mother, sister and sister-in-law. At that time, the present Petitioners and other villagers attempted to stop him, which led to a scuffle, in course of which he sustained injuries and is said to have died.

5. Having regard to the above facts, the period of detention in custody and the fact that other co-accused person, namely Pandu @ Babul Soren, has already been released on bail as per order passed by this Court in BLAPL No.7446/2021, I am inclined to allow the prayer for bail.

6. Let the Petitioners be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that they shall appear before the trial court on each date of posting of the case without fail.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

