

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1465 of 2022

Prakash Kumar Mohanty@ Prakash Ch. Mohanty ***Petitioner***

Mr. Sarada Prasad Dash, Advocate
-versus-

State of Orissa ***Opposite Party***
Mr. S.N. Das, Addl. Standing Counsel

**CORAM:
THE CHIEF JUSTICE**

ORDER
06.05.2022

Order No.

03. 1. The Petitioner/ Applicant has been in custody since 26th August 2020 and is facing the trial for the offences punishable under Sections 498A, 304B, 306, 34 of the IPC and read with Section 4 of the DP Act.
2. A perusal of the order dated 9th February 2022, passed by the Trial Court rejecting the Petitioner/ Applicant's bail application, reveals that as of that date, twelve Prosecution Witnesses (PWs) had been examined.
3. Learned counsel for the Petitioner/ Applicant informs the Court that of these twelve PWs the mother, the brother and the uncle of the deceased have all turned hostile and have not supported the case of the prosecution. This is not disputed by Mr. Das, learned Additional Standing Counsel appearing for the State.

4. Considering the above circumstances, the Court directs that the Petitioner/Applicant be enlarged on bail subject to the satisfaction of the Trial Court with additional conditions regarding (i) restrictive movement of the Petitioner/ Applicant beyond the limits of his usual area of residence and (ii) to report periodically to the concerned Police Station.

5. The Trial Court will incorporate the above conditions in an appropriate manner in the Bail order.

6. The application is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

S. Behera

