

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1378 of 2021

Mithun Routa

.... Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. A. Rath, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

10.01.2022

Order No.

07.

1. This matter is taken up through video conferencing.
2. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.341/294/302/120-B/34, I.P.C.
3. Heard Mr. J. Sahoo, learned counsel for the Petitioner as well as Mr. A. Rath, learned A.S.C. for the State-Opposite Party.
4. It is submitted that the Petitioner is inside custody since 28.5.2019 and in the meantime though six alleged eye-witnesses have been examined in course of trial, but none of them have supported the prosecution case. The informant eye-witness is not attending the trial court despite service of repeated summons. It is also submitted that one of the co-accused, namely, Susanta Biswal has already been released on bail and the Petitioner being a permanent resident under Aska P.S., there is no chance of his absconding.

5. After hearing learned A.S.C. and considering the submissions made, the stage of trial *vis-à-vis* the evidences so far adduced, it is directed to release the Petitioner on bail in connection with Aska P.S. Case No.81/2017 corresponding to S.T. Case No.64/2019 on such terms and conditions to be fixed by the learned Addl. Sessions Judge, Aska as he deems just and proper including the condition that the Petitioner shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo No.514, dated 7th January, 2022.

(B.P. Routray)
Judge