

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1698 of 2022

Bali Charan Padhy

....

Petitioner

Mr. J. Sahoo,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P.K.Maharaj
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.4.2022.

Order No.

02.

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 27th November, 2021 in connection with Bada Bazar P.S. Case No.227/2021 corresponding to G.R. Case No.1969/2021 pending in the court of learned S.D.J.M., Berhampur for the alleged commission of the offence under Sections 120-B/302/201/212/34 of I.P.C. and Section 27 of the Arms Act.

4. It is observed that the allegation of assault leading to death of the deceased is against Sagar Ganga, Nandan Behera, Bhikari and Kanhu. In so far as the present Petitioner is concerned, it is only alleged that he was present and was assisting the other accused persons. However, no specific overt act has been attributed to him.

5. Having regard to the above facts, the period of detention in custody of the Petitioner and the fact charge sheet has already been submitted, I am inclined to allow the prayer for bail. Let the Petitioner 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 he shall appear before the court below on each date of posting of the case without fail. Further, he shall not approach, threaten or try to influence the informant and other witnesses in any whatsoever. If such an allegation is made by any person, it shall be open to the prosecution to move for cancellation of bail.

6. The BLAPL is disposed of.

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

AKB
c

(Sashikanta Mishra)
Judge

