

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1870 of 2022

Sambhunath Bisoi

....

Petitioner

Mr. J.K. Khuntia, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.05.2022

Order No.

3.

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 in connection with Bamapada (Industrial) P.S. Case No.136 of 2021 corresponding to C.T. Case No.672 of 2021 pending in the Court of learned S.D.J.M., Balasore for the alleged commission of offence under Sections 302/216/120-B/34 of IPC read with Section 25/27 of Arms Act
4. The allegation is that the petitioner being associated with some other persons committed the murder of the deceased by hacking him by means of sharp cutting weapons (*Telenga Katuri and Gupti*).
5. It is submitted by Mr. Khuntia that the co-accused persons, namely, Durjay Kumar Das, Bulli @ Gopinath Pakal, Mana @ Manas Kumar Pradhan and Bhanjaya Kumar Behera @ Bhanju have already been granted bail and that the petitioner stands on the same footing.

6. Learned Addl. Standing Counsel on the other hand referring to the statement of the eye-witness, namely, Ajaya Kumar Behera submits that there is clear evidence that the petitioner and co-accused Ranjan Sahu brutally assaulted the deceased by means of deadly weapons resulting in his death.

7. After perusal of the materials on record and particularly the statement of the eyewitness, namely Ajaya Kumar Behera, which shows a strong prima facie case against the petitioner, I am not inclined to allow the prayer for bail, which is therefore rejected. It is however open to the petitioner to renew his prayer for bail after examination of Ajaya Kumar Behera during trial.

8. BLAPL is accordingly rejected.

A.K. Rana

(Sashikanta Mishra)
Judge

