

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2056 of 2022

Babula Nayak

....

Petitioner

*Mr. S.K. Dash,
Advocate*

-Versus -

State of Odisha

Opposite Party

....

*Mr. A. Pradhan,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

28.03.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 16.10.2021 in connection with Mohana P.S. Case No.193 of 2021 corresponding to G.R. Case No. 232 of 2021 pending in the court of learned J.M.F.C., Mohana for the alleged commission of offence under Sections 341/294/324/302/307/506/34 of IPC
4. As it appears, the petitioner was though present at the spot during the time of occurrence, yet the assault on the head of the deceased, which led to his death, was made by one Ganesh Nayak. Except for the fact that the petitioner was present at the spot, there is no other allegation of causing any fatal injury to the deceased.
5. Considering the above fact, the period of detention in custody and the fact that the 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 the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge



B,Swain