

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2398 of 2022

Santosh Sabar

....

Petitioner

Mr. B.R. Tripathy, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. S.K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

09.05.2022

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 08.10.2021 in connection with Deogarh P.S. Case No.345 of 2021 corresponding to S.T. Case No.8 of 2022 pending in the Court of learned Sessions Judge, Deogarh for the alleged commission of offence under Sections 450/307/302/506/326/34 of IPC.
4. It is alleged that the petitioner along with his parents and brothers came to the house of the injured and assaulted him and when his mother came to rescue him, she was also brutally assaulted and ultimately succumbed to her injuries.
5. From the materials on record it appears that the main allegation is against Narendra Sabar, father of the petitioner, who is said to have assaulted the injured as well as the deceased by means of an axe. In so far as the present petitioner is concerned, no specific overt act has been attributed to him except for the general and somewhat bald allegation that he being the part of the group

had also taken part in the assault.

6. Considering the above facts, the submissions made and the period of detention in custody, 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.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

