

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2543 of 2022

Daitari Pangi

....

Petitioner

Mr. A.Mishra,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.4.2022.

Order No.

01.

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 28th November, 2021 in connection with Baripariguda P.S. Case No.196/2022 corresponding to G.R. Case No.1079/2022 pending in the court of learned S.D.J.M., Jeypore for the alleged commission of the offence under Section 302 of I.P.C.
4. It is alleged that the Petitioner committed murder of the deceased by assaulting her with Thenga. One Ratna Pangi, who is one of the eye witness to the occurrence, has stated that there

was a sudden quarrel in the family during which the Petitioner being enraged pushed his elder brother and also his wife (deceased) and thereafter assaulted her by means of a Thenga due to which she died. As is evident there is nothing in the statement of the aforesaid witness to indicate any premeditation in the act of the Petitioner. Rather, the entire incident appears to have arisen out of a sudden quarrel.

5. Considering the above facts, the materials on record, the period of detention in custody and the fact that charge sheet has already been submitted in the case, I am inclined to allow the prayer for bail.

6. 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.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

