

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2611 of 2022

Tanka Bag

....

Petitioner

Mr. D.P. Dhal Sr. Advocate along with Mr.
B.S. Dasparida, Advocate

- Versus -

State Of Odisha

....

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.04.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard Mr. D.P. Dhal, learned Sr. Counsel along with Mr. B.S. Dasparida for the petitioner and learned Addl. Standing Counsel for the State.
3. It is alleged that the petitioner and the co-accused jointly committed the murder of the deceased, yet materials on record reveal that the deceased was himself the aggressor and there was assault by co-accused, Narendra by means of knife. In so far as the present petitioner is concerned, the only allegation against him is that he threw the deceased on the floor where upon the co-accused, Narendra stabbed him.
4. Having regard to the above facts, materials on record and the fact 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 Court in seisin over the matter on each date of posting of the case without fail.
5. BLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana