

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2614 of 2022

Rama Morku @ Rama Modak		Petitioner
		Mr. R.L. Pattnaik, Advocate
	- Versus -	
State of Odisha		Opp.Party
		Mr. P. Tripathy, Addl. Standing Counsel

**CORAM:
JUSTICE SASHIKANTA MISHRA**

**ORDER
29.09.2022**

**Order No.
04.**

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 02.01.2021 in connection with Motu P.S. Case No.01 of 2021 corresponding to C.T. Case No.80 of 2021 pending in the Court of learned Addl. Sessions Judge, Malkangiri for the alleged commission of offence under Sections 302/34 of IPC.
4. It is alleged that the petitioner called the deceased when he was asleep in his house at night to consume liquor but he is said to have severely assaulted the deceased due to which he died at the spot. In the meantime trial has already commenced and seven witnesses have been examined including the informant and the wife of the deceased. All the material witnesses have turned hostile.
5. In such view of the matter, I find no justified reason to detain the petitioner in custody any longer. The bail application is

therefore, allowed. 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. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

