

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2913 of 2022

Bishnu Pradhan

.... Petitioner

Mr. A. Das, Advocate

- Versus -

State of Odisha

.... Opp.Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.09.2022

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 27.12.2021 in connection with Baunsuni P.S. Case No.181 of 2022 corresponding to C.T. Case No.567 of 2021 pending in the Court of learned S.D.J.M., Boudh, for the alleged commission of offence under Sections 302/34 of IPC.
4. It is alleged that the petitioner and two other persons brutally assaulted the deceased by means of bamboo sticks and other weapons causing his death. There are two eye-witnesses to the occurrence, namely, the informant and the wife of the deceased. In so far as the informant is concerned, he appears to have improved upon his FIR story while submitting statement before the I.O. to the effect that the present accused and another persons assisted the principal accused, namely, Brahmananda Pradhan in assaulting the deceased. The wife of the deceased has stated that the said Brahmananda Pradhan dealt a blow to the head of the deceased by means of a sharp wooden stick. The

consistent case of the witnesses is that the injury on the head was caused by Brahmananda Pradhan. It is further borne out from the materials on record that the matter arose out of basically a civil dispute.

5. Taking into consideration all the above facts 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.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

