

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3022 of 2022

Ratnakar Parida

....

Petitioner

Mr. J. Sahoo,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

27.4.2022.

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 2nd April, 2022 in connection with Nirakarpur P.S. Case No.05/2018 corresponding to G.R.. Case No.16//2018(A) pending in the court of learned N.G.N.-cum-J.M.F.C., Tangi for the alleged commission of the offence under Section 302/34.

4. The allegation is that one Krutibash Paikaray caused the death of the deceased Charan Pradhan by stabbing him repeatedly with a knife on his belly. The Petitioner is said to have been present at the spot. It appears that the Petitioner was granted interim protection by this Court in ABLAPL No.2299/2021. Subsequently, he was directed to surrender before the court below and move for bail. However, charge sheet was submitted by showing him absconder. The learned court below has rejected the prayer for bail of the Petitioner on the ground that the trial being held in respect of co-accused Krutibas, the informant, being examined P.W.1, has stated that the Petitioner was assisting him during the occurrence. However, the F.I.R. does not say so except for stating that the Petitioner was also present at the spot, no specific overt act has been attributed to him.

5. Having regard to the above facts as also the fact that similarly placed co-accused, namely, Prasanna Kumar Baliarsingh, has been released on bail as per order passed by this Court in BLAPL No.7560/2021, 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 and in case of even a single default, necessary orders shall be passed by the said court to take him to custody again.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

