

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 3074 of 2022**

**Ashok Das @ Budha & others** .... **Petitioners**  
Mr. A.K. Das-1, Advocate

- Versus -

**State of Odisha** .... **Opposite Party**  
Mr. P.K. Maharaj, Addl. Standing Counsel

**CORAM:**  
**JUSTICE SASHIKANTA MISHRA**

**ORDER**  
**02.05.2022**

**Order No.**  
**1.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 11.12.2021 in connection with Balasore Sadar P.S. Case No.385 of 2021 corresponding to C.T. Case No.1009 of 2021 pending in the Court of learned J.M.F.C. (R), Balasore for the alleged commission of offence under Sections 307/34 of IPC and Section 25/27 of Arms Act.
4. The allegation is that the petitioners being associated with several other persons including one Jayi @ Jayiram Das @ Jaladhar Das attempted to kill the informant/injured by firing from a gun. The injury report on police requisition clearly substantiates such fact. However, a reading of the statement of the informant/injured, namely Fakira @ Priyakanta Nayak reveals that the said Jayi @ Jayiram Das @ Jaladhar Das had fired from his gun causing injuries while the present petitioners, though present had not committed any specific act at that time, rather one of the petitioners, namely, petitioner no.3, tried to save the informant at the spot.

5. Considering the materials as above and the period of detention of the petitioner in custody, I am inclined to allow the prayer for bail. Let the petitioners 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 they shall personally appear before the trial Court on each date of posting of the case and in case of even a single default, the Court below shall pass appropriate orders to take him to custody again.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)  
Judge

A.K. Rana

