

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3102 of 2022

Bijay Ketan Rath

....

Petitioner

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

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, 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 petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 16.03.2022 in connection with Mahakalapada P.S. Case No.43 of 2022 corresponding to G.R. Case No.424 of 2022 pending in the Court of learned S.D.J.M., Kendrapara for the alleged commission of offence under Sections 302/307/109/34 of IPC read with Section 25 and 27 of Arms Act.
4. The prosecution allegation is that the petitioner hired a contract killer to threaten the deceased as the latter had relationship with his daughter and was also in possession of some photographs of their intimate moments. The petitioner's complicity is sought to be shown only through the purported confessional statement of the accused, Sonu Panda, who is said to have accepted the contract to threaten but in reality he killed the deceased. It is also seen that the petitioner has made a confessional statement while in police custody. Apart from the above, there are no legally acceptable materials to show that the principal accused was acting at the instance of the petitioner and that too to kill him.

5. Considering the submissions and the materials on record as stated above, 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 the posting of the case.
6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

