

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3155 of 2022

Bapina @ Debakanta Dash

....

Petitioner

Mr. S.K. Dash, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. S.K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.05.2022

Order No.
02.

1. This matter is taken up through hybrid mode.
2. As directed, learned counsel for the petitioner files copies of the depositions of seven witnesses examined so far in the ongoing trial.
3. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
4. The petitioner is in custody since 15.07.2020 in connection with Khurda Model P.S. Case No.143 of 2020 corresponding to S.T. Case No. 30 of 2021 pending in the Court of learned 2nd Addl. Sessions Judge, Khurda for the alleged commission of offence under Sections 147/148/450/307/302/149 of IPC
5. It is alleged that the petitioner and some other persons assaulted the father of the informant, who was working as a waiter in a Bar. Because of such assault, he expired. From the copies of the depositions filed by learned counsel for the petitioner today it is seen that though seven witnesses have already been examined, all of them have turned hostile. Further, one of the co-accused persons, namely, Nilu @ Rakesh Kumar Sahoo has been released on bail as per order passed by this Court in BLAPL No. 4402 of

2021.

6. Considering the above facts and the period of detention in custody, I am 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 and in case of even a single default, NBW shall be issued to take him to custody again.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

