

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No. 149 of 2022

Sane Parabhoi

....

Petitioner

Dr. Binoda Kumar Mishra, Adv.

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

02.11.2022

Order No.

7.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel.
3. Despite specific direction and repeated opportunities, the social investigation report has not been produced. The matter is therefore taken up on the basis of the materials available on record.
4. The appellant is in custody since 15.09.2021 in connection with Bhawanipatna Sadar P.S. Case No. 334 of 2021 corresponding to Criminal Appeal No. 1 of 2022 filed against the judgment dated 15.12.2021 passed by the learned P.M., J.J.B., Kalahandi Bhawanipatna passed in J.C.T. No.995 of 2021 in for the alleged commission of offence under Sections 341/294/323/302/506/34 of IPC.
5. It is alleged that because of a trivial incident there was quarrel between two families, in course of which the appellant is also said to have assaulted the deceased causing his death. However, the appellant was not alone in assaulting the

deceased as his family members were also involved.

6. Considering the above and in absence of any specific overt act being attributed to the petitioner, 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 with out fail.

7. The CRLREV is accordingly disposed of.

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

A.K. Rana



(Sashikanta Mishra)
Judge