

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3408 of 2022

Pitabas Sahu

....

Petitioner

*Mr. B.S. Tripathy,
Advocate*

-Versus -

State of Odisha

Opposite Party

....

*Mr. P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

22.09.2022

Order No.

3.

1. This matter is taken up through hybrid mode.
2. Heard Mr. B.S. Tripathy, learned counsel for the petitioner and Mr. P. Tripathy, learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 15.07.2022 in connection with Chhendipada P.S. Case No. 330 of 2021 corresponding to G.R. Case No. 564 of 2021 of pending in the Court of learned Sessions Judge, Angul for the alleged commission of offence under Sections 294/302/506/34 of IPC.
4. It is alleged that the petitioner in association with several other persons committed the murder of the deceased by assaulting him by means of an axe. Some of the persons originally named in the FIR was not charge sheeted. The charge sheet mentions Binod Das and Manoj Sahoo as the eyewitnesses. Both of them have in the meantime been examined in the ongoing trial as seen from copies

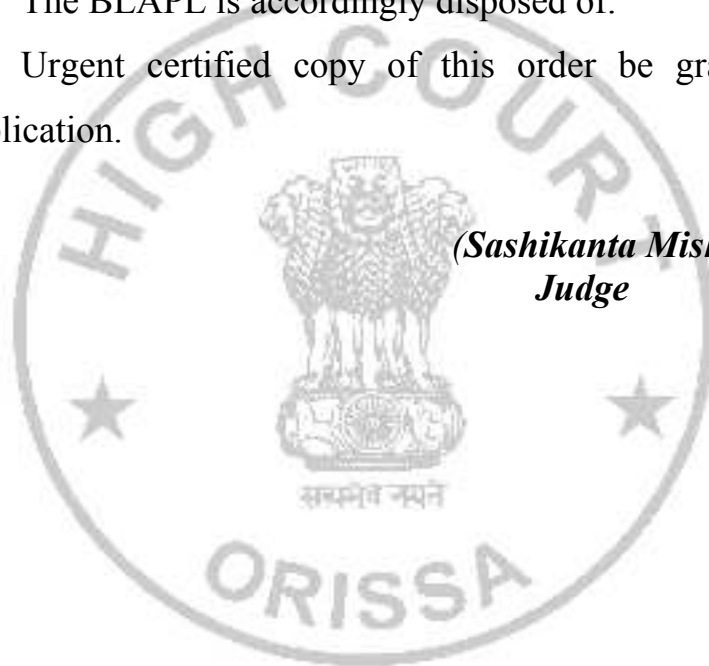
of depositions annexed to the bail application. It is further seen that both of them have turned hostile.

5. Taking into consideration all the above facts as also the period of detention in custody, 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 posting of the case and in case of even a single default, NBW shall be issued by the court below to take him to custody again.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge



BC Tudu