

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3965 of 2022

Suru Babu Bag @ Kairu

....

Petitioner

Mr. A. Pattnaik
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P. Tripathy
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

23.9.2022.

Order No.

04.

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 26th October, 2021 in connection with Bargarh Town P.S. Case No.481/2021 corresponding to G.R. Case No.1128/2021 pending in the court of learned Addl. Sessions Judge, Bargarh for the alleged commission of the offence under Section 302/34 of I.P.C.

5. The prosecution case is that some unknown culprits had killed the deceased, who is the father of the informant. There are no eye witnesses to the occurrence. The prosecution relies upon the so called last seen theory and the disclosure statement made by the Petitioner whereby he has led to discover of cement slab, which was used by him allegedly to kill the deceased. Save and except the above, there is no other evidence to show his complicity in the alleged occurrence.

6. Taking into consideration all the above facts and 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 may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case without fail.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge