

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4048 of 2022

Kaker Jaga

....

Petitioner

Mr. G.Mishra,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
19.5.2022.

Order No.

01. 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 August, 2021 in connection with MV 79 P.S. Case No.32/2008 corresponding to C.T. Case No.125/2021 pending in the court of learned J.M.F.C., Motu for the alleged commission of the offence under Sections 147/148/121/121-A/120-B/122/124-A/302/149 of the I.P.C read with Sections 25 and 27 of the Arms Act and Section 17 of the Criminal Law Amendment Act.

4. As it appears, this is a case of the year 2008 and was split up because of the abscondance of the Petitioner. Further trial has already been commenced with nine witnesses being examined. From the copies of the depositions of the said witnesses, enclosed to the brief, it is observed that all of them have turned hostile. There is thus, hardly any material to show the involvement of the Petitioner in the occurrence.

5. Considering the submissions made, the materials on record, and the period of detention of the Petitioner 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.

6. The BLAPL is disposed of.

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

AKB
c

(Sashikanta Mishra)
Judge