

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4158 of 2022

Jhili Pradhan and others

....

Petitioners

M/s. B.R. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

05.08.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in G.R. Case No.1225 of 2021, on the files of learned J.M.F.C., Khallikote, arising out of Khallikote P.S. Case No.564 of 2021, offences under Sections 302/201/34 of IPC and is in custody since 14.09.2021.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the Additional Sessions Judge, Khallikote, by order dated 23.03.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioners submits that there are no materials on record to connect the petitioners with the alleged offences and it is based on circumstantial evidence and the chain of circumstances is not complete and accusation is based on the so called confession of petitioner No.3-Prabhakar Pradhan. Hence, he

seeks release of the petitioner on bail more so when admittedly in the meanwhile charge sheet has already been filed.

6. Learned counsel for the State relied on the statement of Sukuru Pradhan that there was strong motive on the part of petitioner to commit the offence and statements recorded under Section 27 of the Evidence Act, of Petitioner No.3.

7. On a conspectus of materials on record, this Court is not persuaded to consider the bail application of Opposite Party No.3. The bail application in respect of Petitioner No.3 stands rejected.

8. Considering the materials on record vis-à-vis Petitioner Nos.1 and 2 and taking note of the submissions of learned counsel that the said petitioners are ladies and keeping in view their age, this Court directs the Petitioner Nos.1 and 2 to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi