

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4187 of 2022

Amjad Khan @ Papu and another ***Petitioners***

Mr. Sujit Kumar Pattnaik
Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.7.2022.

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 6th April, 2022 in connection with Khallikote P.S. Case No.173/2022 corresponding to G.R. Case No.402/2022 pending in the court of learned J.M.F.C., Khallikote for the alleged commission of the offence under Sections 341/323/324/307/34 of I.P.C.

4. It is alleged that the Petitioners being associated with two other persons brutally assaulted the informant and his brother. While the brother of the informant managed to escape, the informant sustained several injuries. The injury report reveals that the informant sustained 8 injuries out of which six are simple and two are stated as 'may be grievous'. All such injuries are not inflicted on any vital part of the body but on the limbs of the informant. It is submitted that the matter arose out of a prior dispute and, therefore, no intention to kill can be attributed to the Petitioners.

5. Considering the submissions as above, taking into consideration the period of detention of the Petitioners in custody, I am inclined to allow the prayer for bail. Let the Petitioners be released on bail in the aforesaid case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that they shall appear before the trial court below on each date of posting of the case and in case of even a single default, the said court shall pass appropriate orders to take them to custody again. Further, they shall appear before the I.I.C. of Khallikote P.S. on every Monday at 10.00 A.M. for a period of six months and such fact shall be certified by the I.I.C. to the concerned court once in a month.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

