

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4350 of 2022

Biswa @ Biswanath Majhi

....

Petitioner

Mr. S.N.Mishra-4
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K.Maharaj
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
15.7.2022.

Order No.

02.

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 29th April, 2022 in connection with Boden P.S. Case No.96/2020 corresponding to C.T. Case No.90/2020 pending in the court of learned J.M.F.C., Boden for the alleged commission of the offence under Sections 302/201/147/148/326/120-B of I.P.C.

4. It is alleged that the Petitioner in association with some other persons killed the deceased as they were suspected of practicing witchcraft. There is no eye witness to the occurrence and the case is based entirely on circumstantial evidence. Similarly placed co-accused persons have been released on bail as per the orders passed by this Court in BLAPL Nos.9447/2021 and 3619/2021.

5. Considering the submissions made, the materials on record 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 personally 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

(Sashikanta Mishra)
Judge