

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4430 of 2022

Premananda Kandi

....

Petitioner

Mr. A. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P. Tripathy
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

21.10.2022.

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 6th January, 2022 in connection with Ranpur P.S. Case No.5/2022 corresponding to G.R. Case No.6/2022 pending in the court of learned J.M.F.C., Ranpur for the alleged commission of the offence under Sections 341/294/323/324/325/354/506/302/34 of I.P.C.

4. It is alleged that there was a fight between the member of two families. In course of tussle, the Petitioner is alleged to have assaulted the deceased by means of a stick and gave her a push resulting in injuries on her head due to which she died. The statement of two independent witnesses namely, Somonath @ Jayakrushna Barik and Kasinath Palatasingh, however, shows that the Petitioner had simply pushed the deceased due to which her head came in contact with the cemented road resulting in injuries and causing her death.

5. Considering the statements as above as also 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

