

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4865 of 2022

Manoj Singh

....

Petitioner

Mr. Sanjib Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.08.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is accused in Jhirpani P.S. Case No.103 of 2017 corresponding G.R. Case No.751 of 2017, pending in the Court of learned 1st Additional Sessions Judge, Rourkela, under Sections 302 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Additional Sessions Judge, Rourkela, by order dated 06.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that the entire allegation of assault is accepted at its face value, no case under Section 302 of IPC is made out against the petitioner and as charge-

sheet has already been filed his further continuance in custody is punitive.

6. Learned counsel for the State opposes the prayer for bail and relies on the statement of one Rita Oram and submits that because of the assault the deceased ultimately succumbed to the injuries. It is also stated that since the petitioner was absconding, he is not entitled to release on bail since there is very chance of his not appearing which would affect the trial.

7. Considering the materials on record and the role ascribed to the petitioner, this Court directs the petitioner to be released on bail. Learned Court in seisin over the matter to fix the terms including that one of the sureties shall be a family member and that the petitioner shall appear before the jurisdictional police station once every month till the conclusion of the trial. Report regarding such appearance shall be submitted to the Court in seisin over the matter and violation of any of the conditions shall entail the cancellation of bail.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha