

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4918 of 2022

Idme Madvi and others

....

Petitioners

Mr. J.K. Panda, Advocate

-versus-

State of Odisha (Home)

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.08.2022

Order No.

02.

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 C.T. Case No.19 of 2020 corresponding G.R. Case No.197 of 2013, on the files of Additional Sessions Judge, Malkangiri, arising out of Mathili P.S. Case No.40 of 2013, under Sections 147/148/342/363/121/121-A/124-A/302/149 of the IPC read with section 25/27 of the Arms Act 17 of Cr.L.A/16(1)(a)/18/20 UAP Act.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Malkangiri, by order dated 18.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that they are similarly circumstanced with the co-accused Dula Kabasi

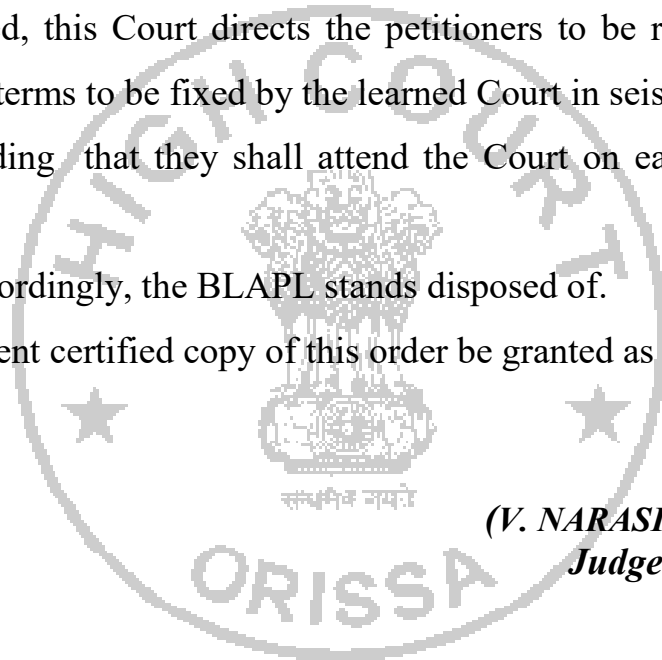
and others who are enlarged on bail by order dated 24.02.2022 in BLAPL No.1302 of 2022.

6. It is seen that in the meanwhile 17 witnesses have been examined including the informant P.W.9 who has not been supported the case of the prosecution. Learned counsel placed on record the submission of the witnesses.

7. Considering the materials on record and period of detention and that none of the witnesses have not supported the case of the prosecution and release of the co-accused similarly circumstanced, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter including that they shall attend the Court on each date of trial.

8. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi