

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4972 of 2022

Mangulu Das

....

Petitioner

*Mr. J. Sahoo,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
30.09.2022**

**Order No.
3.**

1. These matters are taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 31.07.2018 in connection with Chamakhandi P.S. Case No. 66 of 2018 corresponding to G.R. Case No. 218 of 2018 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Chatrapur for the alleged commission of offence under Sections 302/323/34 of IPC.
4. The petitioner's implication in the case was mainly on the basis of the statement of two eyewitnesses, namely, Jogendra@Jogi Pradhan and Lingaraj@Budu Pradhan. From the order dated 06.05.2022 passed by a coordinate bench of this Court in BLAPL No.2268 of 2022, the submission made on behalf of the petitioner has been reflected wherein it is mentioned that both the aforementioned witnesses have already been examined during trial

but have not supported the prosecution case.

5. Considering the above fact, the coordinate bench was inclined to grant bail to the accused persons, namely, Suresh Das and Niranjana Das. Another co-accused, namely, Sushanta Maharana has also been released on bail by this Court as per order passed in BLAPL No. 2269 of 2022. There is no reason to treat the petitioner differently than the co-accused persons who have been granted bail.

6. Considering the above fact 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 the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

7. The BLAPL is disposed of.

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

(Sashikanta Mishra)
Judge