

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5018 of 2022

***Surendra Brekabadika @ Dasa
Kreputika***

....

Petitioner

Mr. P.K.Mishra
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
24.9.2022.

Order No.

03.

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 19th August, 2021 in connection with Gudari P.S. Case No.34(1)/2007 corresponding to C.T. Case No.34/2021 pending in the court of learned Addl. Sessions Judge, Gunupur, for the alleged commission of the offence under Sections 302/34 of I.P.C. read with Sections 25

and 27 of the Arms Act, Sections 3/4 of the I.E.S. Act and Section 17(2) of the C.L.A. Act.

4. The Petitioner was not named in the F.I.R. His implication came to light during investigation. Charge sheet was submitted showing him as an absconder. He was subsequently arrested. In the mean time, the original trial has ended in acquittal of the accused persons. None of the witnesses examined in the said case have stated anything to remotely implicate him in the occurrence. He is in custody more than a year.

5. Taking into consideration all the above facts 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 appear personally 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

