

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5041 of 2022

***Kailash Chandra Mohanty @
Budu***

....

Petitioner

*Mr. J. Samantaray,
Advocate*

-Versus -

State of Odisha

Opposite Party

....

*Mr. P.K. Maharaja,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
20.06.2022**

Order No.

1.

1. This matter is 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 22.04.2022 in connection with Berhampur Town P.S. Case No.95 of 2022 corresponding to G.R. Case No.786 of 2022 pending in the court of learned SDJM, Berhampur for the alleged commission of offence under Sections 307/506 and 25(1-B)(a) and 27 Arms Act.
4. It is alleged that the petitioner attempted to fire from a gun at the police during patrolling duty but the weapon did not fire and the petitioner was captured. In view of the fact that no injury has been caused to any person, prima facie, offence under Section 307 is not made out.
5. Having regard to the submissions and the materials on record, 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 the petitioner shall report before the IIC, Berhampur Police Station on every Monday at 10 a.m. for a period of six months and such fact shall be certified by the IIC to the concerned Court once in every month.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge

B,Swain

