

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5120 of 2022

Bapi @ Rakesh Pattnaik @ Ambika Petitioners
Prasad Pattanaik & Another

Mr. A. Pattnaik, Advocate

- Versus -

State of Odisha Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

21.06.2022

Order No.

1.

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 petitioners are in custody in connection with Nirakarpur P.S. Case No.105 of 2022 corresponding to G.R. Case No.259 of 2022 pending in the Court of learned Nayadhikari Gramya Nyayalaya-cum-J.M.F.C., Tangi, for the alleged commission of offence under Sections 294/323/307/506/34 of IPC
4. It is alleged that that on 21.05.2022 while the informant was standing in front of a foreign liquor shop, the petitioners arrived there and after abusing him demanded money. When the informant refused, they assaulted him, due to which he sustained a lacerated injury on his head. The injury report on police requisition, a copy of which has been produced by learned counsel for the petitioners in Court, shows that the injury is simple in nature.

5. Considering the fact that the occurrence took place at the spur of the moment it cannot be said with certainty that there was an intention on the part of the petitioners to kill the informant.

6. Considering the above fact and taking into account the period of detention of the petitioners in custody, as also the fact that charge sheet has also been submitted, I am inclined to allow the prayer for bail. Let the petitioners 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 they shall personally appear before the trial Court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

