

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5180 of 2022

Atal Bihari Rout @ Atal Rout

Petitioner

Mr. A. Jena, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.07.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No.257 of 2021, on the files of learned J.M.F.C., Baramba, arising out of Baramba P.S. Case No.266 of 2021 under Sections 341/323/294/324/506/325/307/302/34 of the IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Athagarh, by order dated 19.04.2022 in the aforementioned case, the present BLAPL has been filed.
5. The memo filed by the learned counsel for the petitioner indicating the S.T. Case No.48 of 2022 be taken on record.
6. Learned counsel for the petitioner placing reliance on the statement of one Sarat Khatua, the father of the deceased submits that the overt act which has resulted in the death of Sunil Khatua is attributed to Pintu, Charan and Pandab and since the case has already

been committed to the Court of Sessions Judge, further continuance of the petitioner is not warranted.

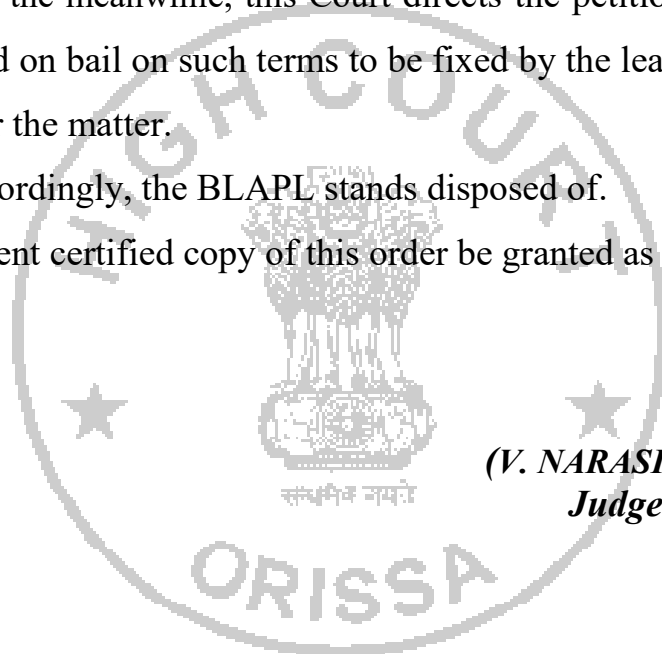
7. Learned counsel for the prosecution place on records statement of Siri Khatua mother of the deceased and Babita Khatua, wife of the deceased.

8. On consideration of the statement of the witnesses as stated above, this Court is of prima facie view that the overt act resulting in the death of Sunil is attributable to Pintu, Charan and Pandab.

9. Considering the same and that the case has already been committed in the meanwhile, this Court directs the petitioner “Atal” to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

10. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi