

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5196 of 2022

Amit Kumar Swain @ Amita Swain* *Petitioner

Mr. K.C. Behera
Advocate

-versus-

State of Odisha* *Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
29.9.2022.

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 6th January, 2022 in connection with Khallikote P.S. Case No.713/2021 corresponding to G.R. Case No.1573/2021 pending in the court of learned J.M.F.C., Khallikote for the alleged commission of the offence under Sections 294/323/324/302/427/34 of I.P.C.

4. It is alleged that owing to a petty dispute over a trivial matter, there was a free fight between the two groups of persons in which the present petitioner was also injured. That apart, there is no specific evidence that he had assaulted the deceased with the intention of causing his death.

5. Considering 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 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