

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5372 of 2022

Rama Dalei

....

Petitioner

Mr. S.K.Pattnaik
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P. Tripathy
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
24.8.2022.

Order No.

02.

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 31st December, 2018 in connection with Buguda P.S. Case No.313/2018 corresponding to S.T. Case No.134/2019 (G.R. Case No.282/2018) pending in the court of learned Addl. Sessions Judge, Bhanjanagar for the alleged commission of the offence under Section 302 of I.P.C.
4. This is the successive bail application filed by the Petitioner. His earlier application was rejected by order dated 11th November, 2021 passed in BLAPL No.3554/2020 granting him

liberty to renew his prayer for bail if trial is not concluded within six months. In the mean time, ten months have been elapsed, but trial has not been concluded. In the mean time, the informant and three other witnesses have been examined, out of whom the only eye witness namely, Mulia Jena has been examined as P.W.3. Significantly, he did not support the prosecution case. The only material against the Petitioner is the so called oral dying declaration made by the deceased just after the occurrence.

5. Having regard to the above facts as also taking into account the long 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 she shall appear personally before the court below on each date of posting of the case without fail and in case of even a single default, necessary orders shall be passed by the court to take her to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

