

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4402 of 2021

Nilu @ Rakesh Kumar Sahoo

..... Petitioner

Mr. M. Chand, Advocate

-versus-

State of Orissa

..... Opposite Party

Mr. A. Rath, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

15.02.2022

Order No.

04.

1. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.302/34, I.P.C. and Secs.25/27 of the Arms Act.
2. Heard Mr. M. Chand, learned counsel for the Petitioner as well as Mr. A. Rath, learned A.S.C. for the State-Opposite Party.
3. It is submitted that the Petitioner is inside custody since 16.6.2020. In the earlier bail application, i.e. BLAPL No.6950 of 2020, this Court while rejecting the prayer for bail vide order dated 2.6.2021 has given liberty to the Petitioner to renew his prayer for bail after examination of the material witnesses. In the meantime, four out of five alleged eye-witnesses have already been examined, who did not support the prosecution version in their evidences. It is also submitted that the Petitioner has no criminal antecedent and he being a local resident, there is no chance of his absconding.

4. After hearing learned A.S.C. for the State-Opposite Party and considering the evidences of P.Ws.1, 3 & 5 as well as the submissions made, it is directed to release the Petitioner on bail in connection with Khurda Model P.S. Case No.243/2020 corresponding to S.T. Case No.30/2021 on such terms and conditions to be fixed by the learned 2nd Addl. Sessions Judge, Khurda as he deems just and proper including the condition that the Petitioners shall not be involved in any other offence while on bail and shall attend the trial court on each date fixed.

5. The BLAPL is accordingly disposed of.

6. An urgent certified copy of this order be granted on proper application.

(**B.P. Routray**)
Judge