

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5382 of 2022

***Sulei @ Sulochana Sahoo and
another***

....

Petitioners

Mr. Rajeet Roy
Advocate

State of Odisha

-versus-

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
29.9.2022.

Order No.

- 04.
1. This matter is taken up through hybrid mode.
 2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
 3. The Petitioners are in custody since 21st March, 2022 in connection with Khurda Sadar P.S. Case No.47/2022 corresponding to G.R. Case No.452/2022 pending in the court of learned S.D.J.M., Khurda for the alleged commission of the offence under Sections 302/34 of I.P.C.

4. As per the prosecution allegation, the matter arose out of a petty quarrel relating to drainage of waste water from the house of the Petitioner No.1. There was a scuffle between the two groups in course of which the deceased is said to have sustained fatal injuries. No specific overt act has been attributed to the Petitioners. Even otherwise, there is no evidence of any premeditation in the act of the Petitioner.

5. Taking into consideration all the above facts and the period of detention in custody, I am inclined to allow the prayer for bail. Let the Petitioners 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 they shall personally 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