

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5405 of 2022

Ganga Banjami

....

Petitioner

Ms. M.Mishra
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
28.6.2022.

Order No.

01. 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 16th April, 2019 in connection with Mathili P.S. Case No.40/2013 corresponding to C.T. Case No.19/2020 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of the offence under Sections 147/148/342/363/121/121-A/124-A/302/149 of I.P.C. read with

Sections 25/27 of the Arms Act and Section 17 of Cr.L.A. Act and Sections 16/18/20 of U.A.P. Act.

4. It is submitted that the name of the Petitioner does not find place in the F.I.R., though 22 persons have been named. It is further submitted that out of 16 witnesses examined so far during trial, no one has supported the case of the prosecution. Copies of the depositions have been enclosed to the bail application as Annexure-2.

5. Considering the submissions made, the materials on record, the period of detention already undergone and the fact that there is no acceptable evidence to link the Petitioner with the alleged occurrence, I am inclined to allow the prayer for bail.

6. 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 trial court on each date of posting of the case, failing which it shall be open to the said court to pass necessary orders to take him to custody again.

7. The BLAPL is disposed of.

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

AKB c

(Sashikanta Mishra)
Judge

