

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5470 of 2022

Dingar Ketaki and others

....

Petitioners

Mr. Umakanta Barik,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.6.2022.

Order No.

01.

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 18th April, 2022 in connection with Kegaon P.S. Case No.86/2022 corresponding to C.T. Case No.249/2022 pending in the court of learned S.D.J.M., Dharamgarh for the alleged commission of the offence under Sections 147/148/341/294/354-B/307/506/149 of I.P.C.

4. It is alleged that the Petitioners and some other persons jointly assaulted the injured and his family members causing severe injuries to them. Referring to the Section 161 Cr.P.C. statement of the informant-Chakra @ Chakradhar Padhan, enclosed to the Bail Application, Mr. Barik submits that the main allegation is against one Lakhan Ketaki, who is alleged to have assaulted the informant by means of an iron rod causing grievous injuries on his head. In so far as the present Petitioners are concerned, there is no serious allegation against them and in any case the injured persons have sustained minor injuries.

5. Learned Addl. Standing Counsel for the State has opposed the prayer for bail by submitting that in so far as the Petitioner No.2-Narayari Ketaki is concerned, he is alleged to have assaulted one Krushna Chandra Padhan by means of an axe causing injury on his head.

6. Considering the submissions, the materials on record as also the fact that the matter has arisen out a civil dispute between two families and the incident appears to have occurred in course of a quarrel at the spur of the moment, I am inclined to allow the prayer for bail.

7. Let the Petitioners be released on bail in the aforesaid case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that they shall appear before the trial court on each date of posting of the case

without fail and in case of even a single default, the said court shall pass appropriate orders to take them to custody again.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

