

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5744 of 2022

Bikash Ranjan Pradhan

....

Petitioner

Mr. A. Tripathy, Advocate

- Versus -

State of Orissa

....

Opposite Party

Mr. S. K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.07.2022

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 05.05.2022 in connection with Nayagarh P.S. Case No.43 of 2022 corresponding to G.R. Case No.219 of 2022 pending in the Court of learned S.D.J.M., Nayagarh for the alleged commission of offence under Sections 302/307/337/338/323/325/147/148/149 of IPC.
4. The prosecution case is that there was a free fight between the residents of two different villages involving more than 1000 persons. In course of scuffle, one Nabin Parida lost his life being assaulted by the mob.
5. It is submitted that the petitioner's name does not find place in the FIR. That apart, none of the eye-witnesses have spoken against him. Some of the witnesses have though referred to the name of the petitioner, yet their statements are based on hearsay.
6. Considering the submissions as above, materials on record and the fact that, prima facie, there is no direct material to show the complicity of the petitioner in the alleged occurrence, I am inclined to allow the prayer for bail. Let the petitioner be released

on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

