

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6015 of 2022

Makhnu Bagar @ Makhanu

....

Petitioner

Mr. S. Sourav, Adv.

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

14.10.2022

Order No.
03.

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 in connection with Hemgir P.S. Case No.226/2021 corresponding to S.T. Case No.19/07 of 2022 pending in the Court of learned Addl. District and Sessions Judge, Sundargarh for the alleged commission of the offence under Sections 302/201/34 of I.P.C.
4. It is submitted that except the confessional statement of the Petitioner and other co-accused person, namely the wife of the deceased, there is no other material to link the Petitioner with the alleged occurrence. It is further submitted that though the petitioner no.1 is said to have given a disclosure statement under Section 27 of the Evidence Act, the same does not even remotely link him to the alleged occurrence.
5. Having regard to the submissions made, the materials on record, the period of detention already undergone and the fact that charge sheet has already been submitted in the case, I am inclined to allow the prayer for bail. Let the petitioner 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 he shall appear before the trial 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.

(Sashikanta Mishra)
Judge

A.K. Rana

