

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6028 of 2022

Manoj Kumar Nahak

....

Petitioner

Mr. S. Mohanty Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K. Das, A.S.C.

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
29.09.2022**

Order No.

05.

1. It is submitted that though the case was adjourned to today, but the order-sheet reflects another date inadvertently.
2. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.302/120-B/34, I.P.C.
3. Heard Mr. S. Mohanty, learned counsel for the Petitioner as well as Mr. K. Das, learned A.S.C. for the State-Opposite Party.
4. It is submitted on behalf of the Petitioner that he is inside custody since 4.11.2018 and in the meantime the other co-accused person, namely, Kanhu Charan Swain has been released on bail by this Court in BLAPL No.4209 of 2022 and the present Petitioner is standing on the same footing with him. It is also submitted that both the eye-witnesses did not support prosecution case in course of their examination in trial.

5. After hearing Mr. K. Das, learned Additional Standing Counsel for State-Opposite Party and upon perusal of the evidences of P.W.1 & 2, who are the alleged eye-witnesses of the occurrence and taking note of the fact that the co-accused has been released on bail, it is directed to release the Petitioner on bail in connection with Buguda P.S. Case No.193/2018 corresponding to S.T. Case No.05/2019 on such terms and conditions to be fixed by the learned Addl. Sessions Judge, Bhanjanagar, Ganjam as he deems just and proper.

6. The BLAPL is disposed of.

7. An urgent certified copy of this order be granted on proper application.

(*B.P. Routray*)
Judge

