

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5812 OF 2020

Santosh Kumar Sahoo @ Sanatan Sahoo

..... ***Petitioner***
Mr. S.R. Mulia, Adv.

-versus-

State of Orissa

..... ***Opposite Party***
Mr. K.K. Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
15.03.2022

Order No.

17.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in G.R. Case No. 118 of 2020 on the file of learned J.M.F.C., Salipur, arising out of Salipur P.S. Case No. 118 of 2020, alleged for commission of U/s.498(A)/304(B)/306/406/34, I.P.C., read with Section-4 D.P. Act.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C by the Learned Additional Dist. & Sessions Judge, Salipur by order dtd. 18.08.2020 in BLAPL No. 77 of 2020, the present BLAPL has been filed.
4. Heard Mr. S.R. Mulia, learned counsel for the petitioner and Mr. K.K. Gaya, learned Additional Standing Counsel for the State. And perused the affidavit filed by the informant.
5. Learned counsel for the petitioner submits that, the Charge-sheet has already been filed inter alia under Section 306,

I.P.C. Three prosecution witnesses, who have been examined, have not supported the prosecution. Copies of the statements are kept on record.

6. Accordingly, it is submitted by the learned counsel for the petitioner that, the further detention of the petitioner is not warranted in the case at hand.

7. Per Contra, the learned counsel for the State opposes the prayer for bail.

8. Taking into account the period of detention, this Court is of the considered opinion that release of the petitioner at this stage, shall not impede free and fair trial and accordingly directs that the petitioner shall be released on bail on such terms to be fixed by the learned Court in seisin of the matter including the condition that the petitioner shall appear on each date of Trial.

9. The Bail Application is disposed of accordingly.

10. Urgent certified copy of this order be granted as per rule.

Balaram

(*V.Narasingh*)
Judge