

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7177 of 2022

Papu@Pradosh Kumar Nayak

....

Petitioner

*Mr. A.C. Rath,
Advocate*

-Versus -

State of Odisha

Opposite Party

....

*Mr. M.R. Mishra,
Additional Standing Counsel*

**CORAM:
JUSTICE SASHIKANTA MISHRA**

**ORDER
16.09.2022**

**Order No.
2.**

1. This matter is taken up through hybrid mode.
2. This is the second journey of the petitioner to this Court seeking bail, his earlier bail application being rejected as per order passed in BLAPL No. 1394 of 2022.
3. Heard learned for the petitioner and learned counsel for the State.
4. The petitioner is in custody since 02.12.2021 in connection with Mangalabag P.S. Case No. 281 of 2021 corresponding to G.R. Case No. 1576 of 2021 pending in the Court of learned 2nd Additional Sessions Judge, Cuttack for the alleged commission of offence under Sections 302 of IPC.
5. The petitioner's earlier bail application was rejected granting him liberty to renew his prayer after examination of some material

witnesses. In the meantime, trial has commenced and four witnesses have been examined including two eyewitnesses, namely, Swarap Kumar Naik and Mukesh Kumar Mohanta. Both of them have turned hostile.

6. Considering the above fact and the period of detention of the petitioner in custody, 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. The BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

BC Tudu

