

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7179 of 2022

Iswar Luha and another

....

Petitioners

Mr. S.K. Nanda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
08.12.2022

Order No.

05.

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. The petitioners are accused in S.T. Case No.36 of 2022, pending in the file of learned Sessions Judge, Sonapur, arising out of Binika P.S. Case No.80 of 2022, for commission of alleged offences under Sections 341/324/307/326/34 of IPC.
3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Sonapur by order dated 12.07.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioners are in custody since 19.03.2022 and as charge sheet has already been filed on 18.06.2022 and as injured have already recovered and leading a normal life, further continuance of the petitioners in custody is not warranted.

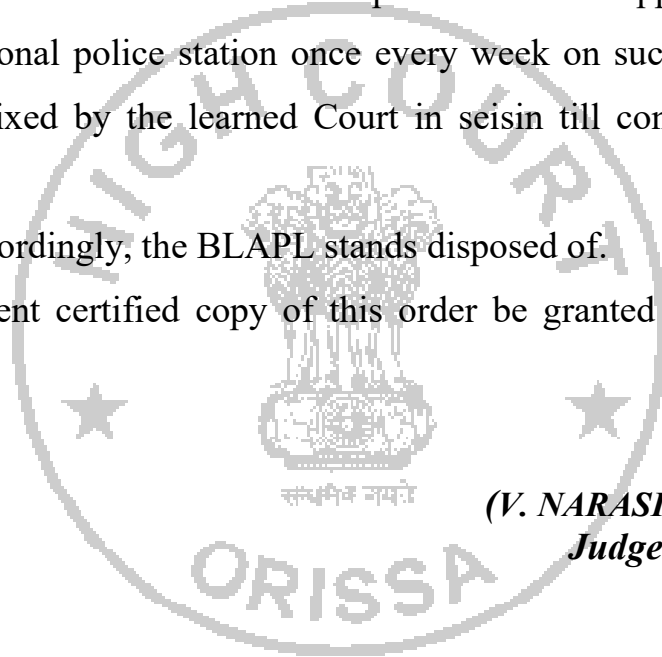
5. Learned counsel for the State opposes the prayer for bail and states that because of the previous enmity there was a premeditation and attack has been made. Hence petitioners ought not to be released on bail.

6. Considering the period of custody and filing of charge sheet, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin.

7. Keeping in view the back ground in which the offence was committed, this Court directs that the petitioners shall appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin till conclusion of trial.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per the rules.



(V. NARASINGH)
Judge