

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7491 of 2022

Agadhu Naik

....

Petitioner

Mr. A.K. Nath, Advocate

-Versus -

State of Odisha

....

Opp.Party

Mr. T.P. Prasad,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

30.11.2022

Order No.
02.

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. This is the second journey of the petitioner to this Court seeking bail, his earlier application for bail being rejected as per order passed by this Court in BLAPL No.11211 of 2021. The present application has been filed as in the meantime trial has commenced and also progressed substantially.
4. It is submitted that several witnesses have been examined but none of them has implicated the petitioner in the manner as originally claimed by the prosecution.
5. Perusal of the copies of depositions of the witnesses furnished by learned counsel for the petitioner reveals that most of the witnesses including the informant have turned hostile. Though there is general allegation that the petitioner along with one Saroj Naik and Manas Naik had prepared the obscene video of the deceased and had made the same viral, yet the co-accused Saroj Naik has been granted bail as per order of this Court in BLAPL No. 11197 of 2021.

6. After going through the evidence on record, this Court is of the view that the petitioner stands on the same footing as the co-accused, Saroj Naik.

7. Considering the above facts and taking into account the period of detention of the petitioner, 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.

8. The BLAPL is accordingly disposed of.

9. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

A.K. Rana

