

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7751 of 2022

Sanjay Nayak

....

Petitioner

Mr. A.K. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.08.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with C.T. Case No.1194 of 2022 arising out of Badachana P.S. Case No.224 of 2022, pending in the file of learned J.M.F.C., Chandikhole, under Sections 341/354/354(B)/323/324/294/379/506/34 of IPC.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Chandikhole, by order dated 09.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits it is a case and counter case and the allegations as made have been exaggerated.
6. Placing reliance on the certified copy of the injury report produced in Court and as noted by the order of rejection, it is submitted that since injuries are simple in nature for further continuance of the petitioner in custody is not warranted.

7. Learned counsel for the State opposes the prayer for bail during the course for investigation.
8. Taking note of allegations and counter allegations and nature of the injury be simple, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter. The injury report of the injured Madhusmita Nayak is taken on record.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

Ayesha



(V. NARASINGH)
Judge