

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7821 of 2022

Akash Soren

....

Petitioner

Mr. A.Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
11.11.2022

Order No.

03.

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 S.T. Case No.03 of 2022 pending on the file of learned Addl. Sessions Judge, Jajpur Road, arising out of Sukinda P.S. Case No.167 of 2021, for commission of offence under Section 302 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Jajpur Road, by order dated 28.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that there are no materials to implicate the Petitioner under Section 302 IPC save and except his confessional statement and statement of the

co-accused Mansingh Soren, CCL under Section 27 of the Evidence Act who has since been released on bail.

6. Per contra, learned counsel for the State opposes the prayer for bail relying on the statement of one Prafulla Gaipai.

7. On a conspectus of the materials on record, it is clear that except circumstantial evidence, as noted there is no other material on record to implicate the Petitioner.

8. Considering the same, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS

