

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8288 of 2022

Satrughana Naik

....

Petitioner

Mr. D. Dash, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
14.09.2022

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 accused in Keonjhar Sadar P.S. Case No.214 of 2022 corresponding to G.R. Case No.931 of 2022, pending before the learned S.D.J.M., Keonjhar, for alleged commission of offences under Section 302 of IPC.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Keonjhar I/C, by order dated 12.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that in the meanwhile investigation has been concluded and charge-sheet has been filed and it is submitted that the offence has been committed in a fit of anger without any pre meditation hence the accusation under Section 302 of IPC is ex-facie not attracted.

6. Learned counsel for the State submits that at this stage, it is not open for the Court to come to a finding regarding the intention of the petitioner.

7. Taking note of the relationship between the petitioner and the deceased and the genesis of the offence and the 161 Cr.P.C. statement of the informant, who is the wife of the deceased, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge