

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8426 of 2022

Simanchal Pradhan @ Jati **Petitioner**

Mr. S.R. Mohapatra, Advocate

- Versus -

State of Odisha **Opposite Party**

Mr. S.K.Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

23.9.2022.

Order No.

1.

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. The petitioner is in custody since 30.08.2021 in connection with Khandagiri P.S. Case No.453 of 2021 corresponding to C.T. Case No.2/5 of 2022 pending in the Court of learned 2nd Addl. Sessions Judge, Bhubaneswar for the alleged commission of offence under Sections 302/34 of IPC.
4. It is alleged that the petitioner and group of persons brutally assaulted the deceased causing his death. It is alleged in the FIR that one Raja Jayasingh stabbed the deceased by means of a knife while the other culprits including the petitioner had caught hold of the deceased. In the statement of the eye-witness, Rajesh Kumar Sahoo it is mentioned that one Bala Pradhan and her husband, Baya Pradhan @ Bideshi Pradhan (petitioner) caught hold of the deceased, while Raja Jayasingh stabbed the deceased.
5. Considering the submissions as above and the fact that the said Bala Pradhan has already been granted bail by this Court as per order passed in BLAPL No. 3635 of 2022, 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 and in case of even a single default, this order shall be treated as automatically cancelled and the said Court shall issue NBW to take him to custody again.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. B c

