

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8895 of 2022

Dinabandhu Behera

...

Petitioner

Mr. S. Mishra, Advocate

-Versus -

State of Odisha

....

Opp. Party

Mr. P.Tripathy, Addl. Standing
Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

02.11.2022

Order No.
01.

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 02.09.2021 in connection with Kanika P.S. Case No.226 of 2021 corresponding to G.R. Case No.1607 of 2021 pending in the Court of learned Addl. Sessions Judge, Talcher for the alleged commission of offence under Sections 498-A/302 IPC.
4. This is successive bail application filed by the petitioner, his earlier bail application being rejected by this Court vide order dated 08.07.2022 passed in BLAPL No. 317 of 2022 granting liberty to renew his prayer after examination of eye-witnesses, namely, Renubala Behera and Sujata Behera during trial. In the meantime, both the witnesses have been examined. Copies of their depositions are enclosed to the bail application, which reveals that both of them have resiled from their previous statements and turned hostile. As such, there is hardly any material to show the complicity of the petitioner in the alleged occurrence. The bail application is therefore, allowed.

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.

5. BLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

