

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7986 of 2021

Tarini Bishoyi

....

Petitioner

Mr. G.K. Nayak, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

02.08.2022

Order No.
02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody in connection with Badagada P.S. Case No.101 of 2018 corresponding to G.R. Case No.144 of 2018 pending in the Court of learned J.M.F.C., Sorada for the alleged commission of offence under Sections 302/120(B)/34 of IPC read with Section 25 & 27 of Arms Act and Section 3 & 4 of E.S. Act.
4. It is alleged that the petitioner and other persons committed the murder of the deceased. The prosecution has relied upon the dying declaration of the deceased as stated by a witness, namely, Nabaghana Bisoyi, However, the said Nabaghana Bisoyi does not appear to have directly implicated the petitioner except for stating that he was expressing his happiness over the occurrence. Similarly placed co-accused namely, Tofan Bisoyi has already been

granted bail as per the order passed by this court in BLAPL No. 7691 of 2019. The petitioner appears to be standing on the same footing.

5. Considering the above fact, 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 without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

