

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8184 of 2021

Sambhu Bhoi @ Bambu Bhoi

....

Petitioner

Mr. D. Sahoo,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
03.8.2022.

Order No.

06.

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 26th January, 2021 in connection with Kendrapara Town P.S. Case No.17/2021 corresponding to G.R. Case No.220/2021 pending in the court of learned S.D.J.M., Kendrapara for the alleged commission of the offence under Sections 341/323/294/302/34 I.P.C.

4. It is alleged that the Petitioner and three other persons jointly assaulted the deceased causing bodily injuries resulting in his death. It is submitted that all the co-accused persons have been released on bail. The allegation against the Petitioner is that he had dealt a blow with a bamboo stick on the head of the deceased causing fatal injuries. It is further submitted that the occurrence arose out of a sudden quarrel because of a previous dispute between the parties. There was no premeditation on the part of the Petitioner and the occurrence happened at the spur of the moment.

5. Considering the above facts, the period of detention in custody and the fact that similarly placed co-accused persons have already been released on bail, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall personally appear before the court below on each date of posting of the case without fail.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

