

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9261 of 2022

***Dijabar Nath @ Duryodhan
Nath***

Petitioner

Mr. S.K. Sarangi, Advocate

-versus-

State of Odisha

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.10.2022

Order No.

02.

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 an accused in connection with C.T. Case No.356 of 2022, pending in the Court of learned S.D.J.M., Athagarh arising out of Athagarh P.S. Case No.147 of 2022, for alleged commission of offences under Sections 147/ 148/ 294/ 323/ 307/354/506 read with Section 149 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Athagarh by order dated 23.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Learned counsel for the petitioner places on record the injury report in respect of the injured Madhusudhan Das, it is

submitted though the injury suffered is grievous, the said Madhusudan Das is leading normal life.

7. Hence, it is submitted that as the petitioner is in custody since 05.07.2022, he may be released on bail as he has no criminal antecedents.

8. Considering the submission of the learned counsel for the petitioner that he is the first offender and that the injured is leading a normal life, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. Learned Court in seisin over the matter shall verify the assertions as per the well being of the injured Madhusudan Das from the investigating agency. If it comes to the fore that such assertions are not correct the bail application stands rejected.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge