

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9424 of 2022

Dayanidhi Mahapatra

....

Petitioner

Mr. B. Pasayat, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.
3. Learned counsel Mr. N.Ch. Das & Associates have entered appearance on behalf of the informant/victim. Vakalatnama filed on behalf of the informant/victim is taken on record. Name of Mr. N.Ch. Das & Associates be reflected in the file, in the cause list as well as in the CMS of this Court.
4. The petitioner is an accused in connection with G.R. Case No.144 of 2022, pending before the learned J.M.F.C., Bhapur, arising out of Fategarh P.S. Case No.149 dated 07.08.2022, for commission of offences under Section 365/306 of IPC.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Nayagarh, by order dated 20.09.2022 in the aforementioned case, the present BLAPL has been filed.

6. Learned counsel for the petitioner submits that the petitioner is in custody since 18.08.2022 and since charge-sheet has already been filed, further continuance of the petitioner in custody is unwarranted.

7. Learned counsel for the informant opposes the prayer for bail inter alia relying on the supervision note.

8. Learned counsel for the State places on record the statement of one Bauri Bandhu Mohapatra who is related to the petitioner and one Sarat Kumar Sethi, employee of Trinath Hotel, the place of occurrence.

9. Considering the statement of the employee of the Hotel and filing of charge-sheet inter alia under Section 306 of the IPC, 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.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha