

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8701 of 2021

***Bhumisuta Behera and
another*** ***Petitioners***

Mr. Biswajit Ranjan Tripathy,
Advocate

-versus-

State of Odisha ***Opp. Party***

Mr. A.K. Beura,
Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
17.12.2021**

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the petitioner submitted that trial has already commenced and fifteen witnesses have been examined but the father Krushna Behera, mother Sibani Behera and brother Ranjan Behera of the deceased, who are the witnesses to the oral dying declaration are not turning up to give their evidence in spite of repeated summons for which the case is lingering. He further submitted that the next date of trial is fixed to 06/07/10.01.2022.

In view of such submissions, let the Inspector in-charge of Rairakhol police station appear before the learned trial Court i.e. Additional Sessions Judge, Rairakhol in S.T. Case No.11 of 2021 on or before 24.12.2021 and receive summons in respect of all the aforesaid three witnesses and ensure their attendance on the date fixed.

Since learned counsel for the petitioner has filed deposition copies of only nine witnesses, he will file the rest six witnesses so also the witnesses, namely, Krushna Behera, Sibani Behera and Ranjan Behera, if examined in the learned trial Court in the meantime after serving copies thereof on the learned counsel for the State.

List this matter on 21.01.2022.

(S.K. Sahoo)
Judge

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