

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9960 of 2022

Dusha Podh & others

....

Petitioners

Mr. M.K. Mohapatro, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and learned counsel for the State.
3. The Petitioners are accused in connection with C.T Case No.319 of 2022 arising out of Kesinga P.S. Case No.333 of 2022, pending on the file of the learned J.M.F.C., Kesinga for the alleged commission of offence under Sections 147/ 148/ 341/ 323/ 325/ 307/149 IPC and are in custody since 30.08.2022.
4. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned Sessions Judge, Kalahandi, Bhawanipatna by order dated 29.09.2022, the present BLAPL has been filed.
5. Perused the statement of the injured–Tushar Bag as submitted by the learned counsel for the State. The injury report of

the said injured shows that he had suffered fracture of the scalp, which is grievous.

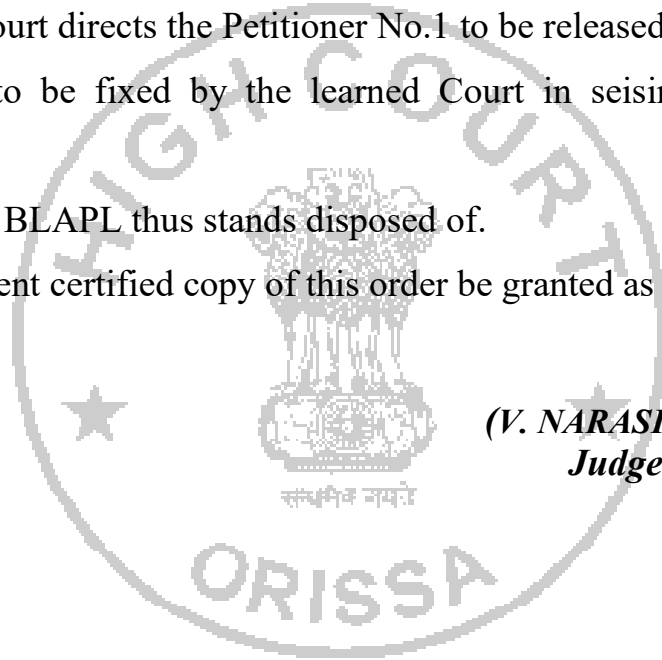
6. Considering the nature of allegation and the manner in which the assault has been made, this Court is not inclined to entertain the bail application of Petitioner Nos.2 and 3 during currency of investigation. They are at liberty to move the learned Court in seisin over the matter post charge sheet, which shall be considered by the said court on its own merit.

7. Taking into account the age of Petitioner No.1-Dusha Podh, this Court directs the Petitioner No.1 to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. The BLAPL thus stands disposed of.

9. Urgent certified copy of this order be granted as per rules.

PKS



(V. NARASINGH)
Judge