

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9089 of 2021

**Ashok Kumar Sethy and
others**

...

Petitioners

Mr. S.K. Nayak, Advocate

- Versus -

State of Odisha

...

Opposite Party

Ms. Sanjibani Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
03.01.2022**

**Order No.
1.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel.
3. The petitioners are in custody since 26.09.2021 in connection with Marsaghai P.S. Case No. 390 of 2021 corresponding to G.R. Case No. 2197 of 2021 of the Court of learned S.D.J.M., Kendrapara for the alleged commission of offence under Sections 147/148/294/341/323/324/325/304/149 of IPC.
4. The allegation against the petitioners is that because of prior dispute between the parties, the petitioners assaulted the victim by deadly weapons, as a result of which, he sustained grievous injuries on his person. It is stated that such assault was with the intention of committing his murder.
5. It is submitted by learned counsel for the petitioners that there was previous dispute which led the parties to the quarrel during which there was a scuffle between the parties but there was never any intention on the part of the petitioners to do

away with the life of the victim.

6. Learned Addl. Standing Counsel has opposed the prayer for bail by submitting that the petitioners assaulted the victim using deadly weapons causing grievous injuries on his person and therefore, they should not be let off leniently.

7. Having regard to the submissions made, the materials on record, the period of detention already undergone and looking at the site of the injuries sustained by the victim, I am inclined to allow the prayer for bail. Let the petitioners be released on bail on such terms and conditions as the Court in seisin over the matter may deem fit and proper to impose including the condition that they shall personally appear before the IIC, Marsaghai Police Station on every Monday till submission of Final Form.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

A.K. Rana

(Sashikanta Mishra)
Judge