

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9210 of 2021

Pitabasa Prusty

...

Petitioner

Mr. D. Nayak, Sr. Advocate, along
with Mr. B.K. Das, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
05.01.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 11.10.2021 in connection with Hinjili P.S. Case No. 38 dated 21.02.2017 corresponding to G.R. Case No.26(B)/2017 of the file of learned J.M.F.C., Sheragada for commission of offence under Sections 147/148/171E/323/324/325/326/307/302/149 of IPC and Section 25 of Arms Act.
4. The allegation is that on the date of occurrence, the present petitioner along with several other persons numbering about 67, assaulted the son of the informant by deadly weapons causing severe injuries on his person, which ultimately led to his death.
5. It is submitted by learned Senior Counsel that the assault took place because of some political rivalry. It is further

submitted that out of 67 accused persons, 61 have already been released on bail. The bail orders passed by this Court in respect of other co-accused persons have been enclosed to the present application.

6. As it appears, the persons who have been named in the FIR such as, Kansa Prusty, Rohit Pradhan and Mantu Khandual etc. have already been released on bail. In so far as the present petitioner is concerned, there is nothing on record to show that he is differently placed than the co-accused persons who have already been released on bail.

7. Having regard to the above facts and the period of detention already undergone, I am inclined to allow the prayer for bail. Let the petitioner 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 he shall personally appear before the trial court on each date of posting of the case without fail.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana