

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9214 of 2021

Jakala Gagarai & Anr.

...

Petitioners

Mr. S.P. Dash, 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 petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 31.01.2021 in connection with Raruan P.S. Case No. 17 of 2021 corresponding to C.T. Case No.102 of 2021 pending in the file of learned S.D.J.M., Karanjia for the alleged commission of offence under Sections 302/201/34 of IPC.
4. It is submitted that out of ten accused persons in the case, seven persons have already been released on bail and there is nothing to differentiate between the present petitioners and the said accused persons. It appears that the entire case is based on circumstantial evidence and the petitioners appear to have been implicated in the case solely basing on the statement of co-accused and there is no other independent material against them.

5. Having regard to the submissions, the materials on record, the period of detention already undergone and the fact that the petitioners have been implicated in the case only on the basis of the statement of the co-accused, 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 trial court on each date of posting of the case without fail.
6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

A.K. Rana



(Sashikanta Mishra)
Judge