

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9231 of 2021

Bholanath Mandal

...

Petitioner

Mr. U. Barik, 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 25.04.2020 in connection Umerkote P.S. Case No. 112 of 2020 corresponding to C.T. Case No. 4 of 2021 pending in the Court of learned Addl. District and Sessions Judge, Umerkote for the alleged commission of offence under Sections 294/324/302/506/109/307/34 of IPC.
4. It is alleged that the petitioner committed murder of the deceased in course of a quarrel in the family which arose out of prior civil dispute relating to share in the ancestral property.
5. It is submitted there are no eye-witnesses to the occurrence and in any case in the trial in the Court below several witnesses including the younger sister of the deceased have been examined but none of them have stated anything to

implicate the petitioner.

6. Having regard to the submissions made, the materials on record, the period of detention already undergone and the fact that the material witnesses have not testified anything to implicate the petitioner in the occurrence so far, 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.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

A.K. Rana



(Sashikanta Mishra)
Judge