

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10318 of 2022

Khirod Sunani

....

Petitioner

Ms. M. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
24.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The Petitioner is an accused in C.T. Case No.243 of 2022 pending on the file of learned GNA-cum-JMFC, Komna, arising out of Komna P.S. Case No.243 of 2022, for commission of offence under Sections 341/294/323/307/506/34 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Nuapada by order dated 13.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel relying on the statement of injured Ankit Kumar Singh that the co-accused Mohit Mallick had inflicted blow on his back. It is placed on record that

the said Mohit Mallick has already been released on anticipatory bail by order dated 21.10.2022 in ABLAP No.13541 of 2022. Learned counsel for the Petitioner also places on record that the injury suffered by the injured-Ankit Kumar Singh has categorized as simple. The statement of the victim recorded under Section 164 Cr.P.C. and the injury report are taken on record.

7. Learned counsel for the State opposes the prayer for bail.

8. Considering the nature of injury suffered, statement of the injured and the release of the co-accused, who is stated to have committed the overt act, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

9. Additionally, it is directed that the Petitioner shall appear before the jurisdictional police station of the learned Court in seisin every fifteen days till submission of final form.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS