

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9392 of 2021

Jaga @ Jagannath Jena

....

Petitioner

Mr. A. Satpathy, Adv.

-versus-

State of Odisha.

....

Opposite Party

Mr. G.R. Mohapatra, A.S.C.

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

16.05.2022

Order No.

- 06.** 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 being in custody in connection with Kabisuryanagar P.S. Case No.256 of 2020 corresponding to G.R. Case No.252 of 2020 pending in the court of learned JMFC, Kabisuryanagar for the commission of offence under Section 302/34 of the IPC has prayed for his interim release on bail.
4. It is alleged that on 18.09.2020 around 7 P.M., the petitioner along with one Siba Rout called the deceased Muna Biswal to the end of the village and dealt knife and bhujali blow on him thereby causing profuse bleeding injury. After the incident, the injured was shifted to Kabisuryanagar Hospital for treatment. Thereafter, he was shifted to Care Hospital. While undergoing treatment, he succumbed to death.
5. Learned counsel for the petitioner submits that the petitioner was not present at the time of incident and there is no prima facie evidence regarding involvement of the petitioner in the alleged crime. The

petitioner is a farmer, who has no criminal antecedent and he is the only earning member of his family. So, the petitioner may be allowed on interim bail.

6. According to the report submitted by the learned counsel for the State, the petitioner's health is not in a worse condition. Hence the prayer for interim release cannot be considered at this stage.

7. In such view of the matter, the BLAPL is rejected.

PCD

