

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9421 of 2021

Hari Chhatra

....

Petitioner

Mr. Umakanta Barik
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

07.01.2022.

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard Mr.Umakanta Barik, learned counsel for the Petitioner and Mr.S.K.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 29th August, 2021 in connection with Golamuda P.S. Case No.99/2021 corresponding to C.T. Case No.323/2021 pending in the court of learned S.D.J.M., Dharmgarh for the alleged commission of the offence under Sections 341/294/323/324/307/506 of I.P.C.

4. The prosecution allegation is that while the sister of the informant was bringing water from the tube well carrying the same in a bucket, a little of it spilled in front of the house of the Petitioner due to which he became enraged and abused her in filthy language. Thereafter, the Petitioner brought out a spade from his house and dealt a blow on the head of her father causing severe injuries.

5. It is submitted that the matter arose out of a sudden quarrel without any premeditation and there was never any intention to kill the injured.

6. Learned Addl. Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that the injured victim received injury on his head.

7. Considering the submissions made, the materials on record, the period of detention already undergone and the fact that charge sheet has already been submitted in the case, I am inclined to allow the prayer for bail.

8. Let the Petitioner- Hari Chhatria be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the trial court on each date of posting of the case without fail.

9. The BLAPL is disposed of.

9. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

