

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9589 of 2021

Raju @ Rajendra Naik

....

Petitioner

Mr. R.K. Patnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Mohanty, Additional Standing Counsel

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

10.5.2022

Order No.

04.

1. Heard Mr. R.K. Patnaik, learned counsel for the Petitioner and Mr. P.K. Mohanty, learned Additional Standing Counsel.

2. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Raju @ Rajendra Naik in connection with Gangapur P.S. Case No.105 of 2012 corresponding to S.T. Case No.06/2016 & 84 of 2014 [G.R. Case No.548/2012(A)] pending in the court of learned Additional Sessions Judge, Bhanjanagar for alleged commission of offence under Sections 324/302/506/34 of the Indian Penal Code.

3. It is submitted on behalf of the Petitioner that he is inside custody since 29th October, 2015 and in the meantime two other co-accused persons, namely Bansi Naik and Gobinda Naik have been released on bail by this court in BLAPL Nos.4171 of 2019 and 9534 of 2017. It is further submitted that in the meantime 13 witnesses have been examined in course of trial and discrepancies are there in their

evidence *vis-à-vis* the F.I.R. with regard to assault made by the present Petitioner.

4. Upon hearing Mr. Mohanty, learned ASC for State and on perusal of the evidence of all such witnesses, viz., P.W.1 to P.W.13 and keeping in view long detention of the Petitioner inside custody, it is directed to release the present Petitioner on bail in the aforesaid case on such terms and conditions to be fixed by the learned court in seisin over the matter including the condition that, the Petitioner shall attend the trial court on each date fixed.

5. The certified copies of depositions as filed by the Petitioner are kept on record.

6. The BLAPL is disposed of.

7. An urgent certified copy of this order be issued as per rules.

(**B.P. Routray**)
Judge

M.K.Panda