

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9817 of 2021

Niranjan Dehury and others

.... Petitioners

Mr. A. Dash, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

25.01.2022

Order No.

01.

1. This matter is taken up through video conferencing.
2. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.302/120-B/34, I.P.C.
3. Heard Mr. A. Dash, learned counsel for the Petitioner as well as Mr. M.K. Mohanty, learned A.S.C. for the State-Opposite Party.
4. It is submitted that the Petitioner is inside custody since 4.7.2020 and in the meantime three other co-accused persons, namely, Golak Bihari Jena, Dillip Jena and Rabi Singh have been released on bail. It is further submitted that neither any eye-witness to the occurrence is there nor circumstance is found to suggest implication of the Petitioners in the offences.

5. After hearing learned A.S.C. for the State-Opposite Party and considering the statement of the different witnesses as well as circumstances of the case, it is directed to release the Petitioners on bail in connection with Badasahi P.S. Case No.84/2020 corresponding to S.T. No.196/2021 on such terms and conditions to be fixed by the learned 2nd Addl. Sessions Judge, Baripada, Mayurbhanj or the court in seisin over the matter as he deems just and proper including the condition that the Petitioners shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo No.514, dated 7th January, 2022.

(B.P. Routray)
Judge