

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9911 of 2021

Sudarshan Badaik

....

Petitioner

Mr. S.K.Dash,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

09.5.2022.

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 21st March, 2021 in connection with Raibaga P.S. Case No.26/2007 corresponding to S.T. Case No.50/43 of 2021 pending in the court of learned 2nd Addl. Sessions Judge, Rourkela for the alleged commission of the offence under Section 302/34 of the I.P.C.

4. The prosecution allegation is that the Petitioner with others and the deceased were consuming alcohol together and a sudden quarrel ensued between them. The Petitioner and the said other persons allegedly assaulted the deceased causing injury which ultimately led to his death. There are no eye witnesses to the occurrence. The only material which serves to implicate the Petitioner is the so called confession made by him before the Police.

5. Considering the above facts as also the period of detention in custody, I am inclined to allow the prayer for bail. Let the Petitioner 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 court below on each date of posting of the without fail.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

