

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9917 of 2021

Gurudub Majhi

....

Petitioner

Mr. T.K.Mishra,
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 6th April, 2021 in connection with B. Singhpur P.S. Case No.46/2021 corresponding to C.T. Case No.28/2021 (G.R. Case No.94/2021) pending in the court of learned District and Sessions Judge, Koraput for the alleged commission of the offence under Section 302 of the I.P.C.
4. It is alleged that the Petitioner carried a grudge on his daughter-in-law because of an incident which took place some

years ago. Accordingly, he followed her into the jungle and assaulted her from the back by means of an axe causing her death. The incident is said to have been witnessed by one Dambaru Majhi, but then, prima facie, it becomes difficult to accept his statement considering the fact that he had not stated anything before the Police at the earliest possible opportunity and said so before the Court after considerable period of time. The prosecution is also relying upon the evidence of one Dhana Majhi, but the said witness also appears to have changed his earlier version before the Police without any plausible explanation.

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

