

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9977 of 2021

Gopal Sitha & Other

....

Petitioners

Ms. R. Biswal, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P.K. Maharaj, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

03.03.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 12.08.2021 in connection with Colliery P.S. Case No.261 of 2021 corresponding to G.R. Case No.1161 of 2021 pending in the Court of learned S.D.J.M., Tclaher for the alleged commission of offence under Sections 302/34 of IPC
4. Considering the submissions, materials on record, the period of detention and the fact that no specific overt act has been attributed to petitioner no.2, who is a lady, I am inclined to allow her application for bail. Let the petitioner no.2 be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.
5. In so far as it relates to petitioners no. 1 and 3, I am not inclined to allow the application, which is therefore, rejected.

However, liberty is granted to them to renew their prayer after examination of some material witnesses.

6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

A.K. Rana

(Sashikanta Mishra)
Judge

