

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10009 of 2021

R. Santosh Patra

....

Petitioner

Mr. J. Sahoo, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. A. Pradhan,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.02.2022

Order No.
02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 20.8.2020 in connection with Pattapur P.S. Case No. 188 of 2020 corresponding to G.R. Case No. 181 of 2020 pending in the court of learned 1st Additional Sessions Judge, Berhampur for the alleged commission of offence under Section 302 of IPC.
4. The allegation is that the deceased, who happened to be the grand-father of the petitioner was found with his throat slit, when he was sleeping on the Drama pandal of their village.
5. It is submitted by learned counsel for the petitioner that there is absolutely no material to link the petitioner with the occurrence and that he has been entangled only on suspicion.
6. Learned Additional Standing Counsel, on the other

hand, has opposed the prayer for bail by submitting that though there are no eyewitnesses yet there is a disclosure statement recorded under Section 27 of the Indian Evidence Act, which contains the confession of the petitioner regarding commission of the crime.

7. Having regard to the submissions as above, the period of detention already undergone and the fact that except for the disclosure statement under Section 27 of the Indian Evidence Act there is no other acceptable material showing involvement of the petitioner in the occurrence, I am inclined to allow the prayer for bail. Let the petitioner 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 on each date of posting of the case without fail and in case of even a single default, the trial court may pass appropriate orders to take him to custody again.

8. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge