

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10107 of 2021

Jitendra Sahu and others

....

Petitioners

Mr. H.N.Mohapatra,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.A. Pradhan,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
10.5.2022.

Order No.

02.

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. Learned counsel for the Petitioners does not want to press the Bail Application in respect of Petitioner Nos.1 to 4 and 7. The Bail Application in respect of those Petitioners is, therefore, disposed of as not pressed. It is open to Petitioner Nos.1 to 4 and 7 to renew their prayer after examination of Bijaya Kumar Sahu in the court below.
4. In so far as Petitioner Nos.5,6 and 8 are concerned, they are in custody since 22nd September, 2021 in connection with

Angul Sadar P.S. Case No.568/2021 corresponding to G.R. Case No.1296/2021 pending in the court of learned S.D.J.M., Angul for the alleged commission of the offence under Sections 302/34 of I.P.C.

5. The allegation is that all the Petitioners committed the murder of the deceased by assaulting him with deadly weapons. The Petitioner Nos.5,6 and 8 have not been named in the F.I.R. nor by the person who is said to be an eye witness namely, Bijaya Kumar Sahu. There is no other material directly or indirectly to show their involvement in the occurrence.

6. Considering the above facts and the period of detention of Petitioner Nos.5,6 and 8 in custody, I am inclined to allow the prayer for bail. Let the Petitioner Nos.5,6 and 8 namely, Mamata Sahu, Subasini Behera @ Gaji and Basanti Sahu be released on bail in the aforesaid case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that they shall appear before the trial court below on each date of posting of the case without fail.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

