

IN THE HIGH COURT OF ORISSA AT CUTTACK  
BLAPL No. 9272 OF 2020

*Gangana Pidika*

..... *Petitioner*  
*Mr. T.K.Mishra, Adv.*

-versus-

*State of Odisha*

..... *Opposite Party*  
*Mr. D.Mund, AGA*

**CORAM:**  
**JUSTICE V. NARASINGH**

**ORDER**  
**05.05.2022**

**Order No.**  
03.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in connection with C.T. Case No. 16 of 2020 arising out of Rayagada P.S. Case No. 177 of 2015 on the file of learned Additional Sessions Judge, Rayagada registered for the alleged commission of offence under Sections 147/148/302/201-B/506/149 of the I.P.C. read with Section 4 of Witchcraft Hunting Act, 2013.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Additional Sessions Judge, Rayagada by order dated 19.05.2020, the present BLAPL has been filed
5. Learned counsel for the petitioner places reliance on record, the statements of the P.Ws. 1 to 3, who have not supported the prosecution.

6. It is apposite to state that P.W.1 is the informant and is related to both the deceased.

7. In her cross-examination, in paragraph-6 she has specifically stated that the present petitioner was not present at the time of incident on the alleged date.

8. Taking into account such statement and keeping in view the period of custody, this Court directs that the petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter so as to ensure presence of the petitioner on each date of trial.

09. Accordingly, the BLAPL stands disposed of.

10. Issue urgent certified copy of this order as per Rules.

*Dhal*

