

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9345 OF 2020

Purna Munda & Anr

..... Petitioners
Mr. R.K. Sahoo, Advocate

-versus-

State of Odisha

..... Opposite Party
Miss S. Mishra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
06.04.2022

Order No.
08.

1. This matter is taken up through Hybrid Mode.
2. The petitioners are accused in connection with G.R. Case No. 1339 of 2020 corresponding to Patna P.S. Case No. 143 of 2020, pending on the file of the learned S.D.J.M., Keonjhar for the alleged commission of offence under Sections-302/34 of IPC, and are in custody since 01.10.2020.
3. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned Sessions Judge, Keonjhar I/c. by Order dtd. 14.12.2020, the present BLAPL has been filed.

4. Heard Mr. R.K. Sahoo, learned counsel for the petitioners and Miss S. Mishra, learned Additional Standing Counsel for the State.

5. Learned counsel for the petitioners submits that the case is based on circumstantial evidence though there being no materials on record to connect the petitioners with the incident further incarceration is not justified.

6. Learned counsel for the State referring to the statement of witnesses namely Dhaneswara Munda, Karla Munda and one seizure witness opposes the prayer for bail stating that the offence is clearly made out against the petitioners.

7. On a conspectus materials on record and taking into account that the petitioners are in custody since 01.10.2020 and that the case is entirely based on circumstantial evidence, this Court directs that the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin of the matter.

8. The Bail Application thus stands disposed of.

9. Urgent certified copy of this order be granted as per rule.

(V.Narasingh)
Judge

Balaram