

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10270 of 2021

Bijaya Mahanandia @ Mahanand ***Petitioner***

Mr. Jagannath Kamila, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. Anupam Rath, Addl. Standing Counsel

**CORAM:
SHRI JUSTICE B. P. ROUTRAY**

**ORDER
20.01.2022**

Order No.

01. 1. The matter is taken up through video conferencing mode.
2. Heard Mr. J. Kamila, learned counsel for the Petitioner and Mr. A. Rath, learned Additional Standing Counsel.
3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Bijaya Mahanandia @ Mahanand in connection with Baunsuni P.S. Case No.111 of 2020 corresponding to S.T. Case No.9 of 2021 pending in the court of learned Sessions Judge, Boudh for alleged commission of offence under Sections 302/201/34 of the Indian Penal Code.
4. It is submitted that the Petitioner is inside custody since 21st October, 2020 and as per allegations the deceased had misbehaved to the wife of the Petitioner. The cause of death is due to asphyxia with venous congestion as a result of ante-mortem hanging. It is further

submitted that no eye-witness with regard to death of the deceased is there.

5. Upon hearing Mr. Rath, learned Additional Standing Counsel and considering the statement of the witnesses as well as the circumstances of the case, it is directed to release the Petitioner on bail in the aforesaid case on such terms and conditions to be fixed by the learned court in seisin over the matter including the condition that, the Petitioner shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the Court or tamper with the evidence.

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, in the manner prescribed vide Court's Notice No.514 dated 7th January, 2022.

(B.P. Routray)
Judge