

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10336 of 2021

Subas Biswal

....

Petitioner

Mr. P.K. Padhi, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

03.08.2022

Order No.
05.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. It is alleged that the petitioner being a mason had constructed the house of the deceased but had not been paid his dues. When he demanded his dues, the deceased refused to pay citing substandard work. On the next date, the petitioner and another person came to the spot being armed with an iron rod and assaulted the deceased by dealing blows on his head, due to which he sustained grievous injuries and thereafter died. There is prima facie evidence of the involvement of the petitioner in the form of the statement of the witness, namely, Deepak Kumar Das.
4. Having regard to the nature of accusations and the availability of materials prima facie in its support, I am not inclined to allow the payer for bail at this stage, which is therefore, rejected. It is however, open to the petitioner to renew his prayer after examination of the said Deepak Kumar Das.
5. The trial be expedited if there is no other legal impediment.
6. BLAPL is accordingly rejected.

(Sashikanta Mishra)
Judge