

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10543 of 2021

Ramakanta Behera

....

Petitioner

Mr. H.B. Dash, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P.K. Maharaj, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

20.04.2022

Order No.

2.

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. The petitioner is in custody since 22.09.2021 in connection with Balasore Sadar P.S. Case No.299 of 2020 corresponding to C.T. Case No.873 of 2020 pending in the Court of learned J.M.F.C.(R), Balasore for the alleged commission of offence under Sections 302/294/506 of IPC.
4. It is alleged that the petitioner committed the murder of one Babuli Das. The death of the deceased is said to have occurred due to drowning in the river. As it appears, the implication of the petitioner in the occurrence is based on suspicion alone and there is no direct or indirect material to link him with in the occurrence. Though some witnesses have stated that some villagers had seen the petitioner and the deceased going inside the jungle prior to the occurrence, yet not a single such villager has come forward to say so before the investigating officer.

5. Having regard to the above facts and the fact that charge sheet has already been submitted in the case and further taking into consideration the period of detention of the petitioner in custody, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

