

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10781 of 2021

Rakesh Kumar Behera @ Jaga

....

Petitioner

Mr. A.R.Panda
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K.Maharaj
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.5.2022.

Order No.

02.

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 5th January, 2021 in connection with Bharatpur P.S. Case No.341/2021 corresponding to C.T. Case No.5358/2021 pending in the court of learned S.D.J.M., Bhubaneswar for the alleged commission of the offence under Sections 341/323/294/302/34 of the I.P.C.

4. From the materials on record, it appears that the allegation against the Petitioner is that he only pushed the deceased when there was a tussle between the two groups. However, in so far as the assault on the deceased by means of an iron rod is concerned, the same is ascribed to one Narayan Sethi @ Babu. There is no other allegation or materials against the present Petitioner.

5. Considering the above fact and taking into account the period of detention in custody and the fact charge sheet has already been submitted in the case, I am inclined to allow the prayer for bail.

6. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case without fail.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

