

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10808 of 2021

Pravat Kumar Tarai @ Kalia

....

Petitioner

Mr. S.C.Mohapatra
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.5.2022.

Order No.

01.

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 12th March, 2020 in connection with Pipili P.S. Case No.74/2020 corresponding to G.R. Case No.104/2020 pending in the court of learned J.M.F.C., Pipili for the alleged commission of the offence under Sections 452/323/324/307/302/506/34 of I.P.C.
4. It is alleged that the Petitioner and other persons severely assaulted the deceased, who sustained injuries on his head and succumbed after eight months of the occurrence. As per the

post mortem report, cause of death is due to injury on his head and the same does not point out any injuries on the body. That apart, the only allegation against the Petitioner is that he had dealt some fist blows to the deceased and the main allegation appears to be against one Pramod Kumar Tarai, who has been granted bail by this Court as per order passed in BLAPL No.1872/2021 and another co-accused namely, Kamala Kanta Tarai who has also been granted bail as per order passed by this Court in BLAPL No.4215 of 2020. Undoubtedly, the present Petitioner stands on better footing than the said co-accused persons.

5. Considering the above facts and taking into account the period of his detention in custody, I am inclined to allow the prayer for bail. 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.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

