

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10841 of 2021

***Guru Charan Behera @ Kahara and
another*** ***Petitioners***

Mr. S.K. Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Ms. S. Mishra, A.S.C.

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

**ORDER
24.01.2022**

Order No.

01.

1. This matter is taken up through video conferencing.
2. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.341/302/34, I.P.C.
3. Heard Mr. S.K. Panda, learned counsel for the Petitioner as well as Ms. S. Mishra, learned A.S.C. for the State-Opposite Party.
4. It is submitted that the Petitioner is inside custody since 27.9.2021 and in the meantime investigation has been completed. It is also submitted that the deceased had allegedly committed theft from the shop of the Petitioners and he was beaten up by the Petitioners along with other villagers and as a result of the same, he succumbed to the injuries after five days.

5. Upon hearing learned A.S.C. for the State-Opposite Party and considering the circumstances of the case as well as the fact of completion of investigation, it is directed to release the Petitioner on bail in connection with Mangalpur P.S. Case No.458/2021 corresponding to C.T. Case No.1988/2021 on such terms and conditions to be fixed by the learned S.D.J.M., Jajpur as he deems just and proper including the condition that the Petitioner shall attend the trial court on each date fixed and 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, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo No.514, dated 7th January, 2022.

(B.P. Routray)
Judge