

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11332 of 2021

Gagan Kumar Padhy

....

Petitioner

Mr. C.K. Nayak, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

Mr. P.K. Das, Advocate (for informant)

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.03.2022

Order No.

6.

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 14.12.2021 in connection with Kabisuryanagar P.S. Case No.125 of 2021 corresponding to G.R. Case No.125 of 2021 pending in the Court of learned J.M.F.C., Ganjam for the alleged commission of offence under Sections 341/294/323/325/427/307/506/34 of IPC.
4. It is submitted that the petitioner has been falsely entangled in the case and even otherwise the injuries said to have been sustained by the injured are all simple in nature.
5. Learned counsel appearing for the informant has opposed the prayer for bail by submitting that the dispute arose out of non-payment of money by the petitioner amounting to Rs.8,20,000/- .

6. Considering the submissions, materials on record, the period of detention and the fact that the injuries sustained by the injured do not make out a definite intention on the part of the petitioner to kill the injured, coupled with the fact that charge sheet has already been submitted in the case, 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, failing which necessary orders may be passed to take him to custody again by the Court below.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

