

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11449 of 2021

***Hadibandhu Bhoi @ Hadi Bhoi and
another***

Petitioners

Mr. P.S.Nayak
Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

28.01.2022.

Order No.

01. 1. This matter is taken up through virtual mode.
2. Heard Mr. P.S.Nayak, learned counsel for the Petitioners and Mr. P. Tripathy, learned Addl. Standing Counsel for the State.
3. The Petitioners are in custody since 12th November, 2021 in connection with Bantala P.S. Case No.339/2021 corresponding to G.R. Case No.1396/2021 pending in the court of learned S.D.J.M., Angul for the alleged commission of the offence under Sections 302/34 of I.P.C.

4. Though F.I.R. was initially registered under Section 302/34 I.P.C. yet the accused persons were forwarded under section 304/34 of I.P.C.

5. Having regard to the submissions made, the materials on record and the absence of any specific allegation against the Petitioners that they had committed any act with the intention of killing the deceased, I am inclined to allow the prayer for bail.

6. Let the Petitioners 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 they shall appear before the court in seisin over the matter on each date of posting of the case without fail.

7. The BLAPL is disposed of.

8. 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, modified by Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

AKB

(Sashikanta Mishra)
Judge

