

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1350 of 2022

Ajay Mallik

....

Petitioner

Mr. A.K. Sahoo, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

28.02.2022

Order No.

1.

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 24.11.2021 being forwarded under Section 498-A/306/34 in connection with Bari Ramchandrapur P.S. Case No.246 of 2021 corresponding to C.T. Case No. 2323 of 2021 pending in the Court of learned S.D.J.M., Jajpur.
4. Referring to the statement of the witnesses examined by the I.O. during investigation, copies of which are enclosed to the bail application, learned counsel for the petitioner submits that the admitted case of the prosecution is that the petitioner was not present at the village as he was working in Andhra Pradesh. Except for the bald statement that the petitioner had an altercation with his wife over telephone prior to the occurrence, there is no other material to show his complicity.
5. Considering the submissions, materials on record, the period of detention, 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 without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

