



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1297 of 2025

Kamalakanta Jena@ Jafa & others Petitioners

Mr. A.N.Samantray, Advocate

-Versus-

State of Odisha Opposite Party

Mr. P.Satapathy,ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
24.03.2025

Order No.
02.

1. Heard learned counsel for the petitioners and Mr. Satapathy, learned ASC for the State.

2. Instant petition under Section 483 of BNSS is filed for release of the petitioners on bail in connection with Golanthara P.S. Case No. 360 of 2024 corresponding to G.R. Case No. 1129 of 2024 pending in the file of learned JMFC(Cog), Berhampur on the grounds stated therein.

3. Considered the submissions of the learned counsel for the respective parties. In course of hearing, Mr. Satapathy, learned ASC for the State refers to the statement of the wife of the deceased recorded under Section 180 BNSS and the same is gone through. In fact, according to the statement of the deceased's wife, the petitioners are responsible for the assault. The details of the circumstances and the manner in which the deceased husband was assaulted by the petitioners have been narrated by her during



investigation. In fact, as per the said statement, the deceased was confined and assaulted by the petitioners along with the co-accused persons. It is informed to the Court that in the month of December, 2024, the chargesheet is filed upon closure of investigation. Considering the role played by the petitioners in the assault of the deceased, which is revealed by her wife, namely, Manjulata Swain as borne out of record, though there is closure of investigation, the Court is not inclined to consider their release, however, grants the liberty for them to renew the prayer at a later stage during trial after the wife of the deceased is examined by the prosecution.

4. BLAPL is disposed of accordingly with the liberty granted in favour of the petitioners.

(R.K. Pattanaik)
Judge

Kabita

Signature Not Verified

Digitally Signed
Signed by: KABITARANI MAJHI
Reason: Authentication
Location: OHC,Cuttack
Date: 25-Mar-2025 12:03:21

