

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 394 of 2022

Pandab Pradhan

....

Petitioner

Mr. A. Das, Advocate,

-Versus -

State of Odisha

Opposite Party

....

*Mr. S.K. Mishra,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

15.02.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner has been arrested in connection in connection with Banki P.S. Case No.39 of 2020 corresponding to S.T. Case No. 185 of 2021 pending in the court of learned 3rd Additional Sessions Judge, Cuttack for the alleged commission of offence under Sections 302/147/148/120-B/212/109/149/307 of IPC.
4. The prosecution allegation is that on the date of occurrence one Papu Pradhan, Jharia Pradhan and Balabhadra Pradhan and four others being armed with lathi sword and other deadly weapons assaulted one Aditya Kumar Ranasingh and Bhagaban Swain causing their deaths.
5. It is submitted by Mr. Das, learned counsel for the petitioner that the petitioner has not been named in the FIR nor any TI parade

was held to establish his complicity in the occurrence.

6. Mr. S.K. Mishra, learned Additional Standing Counsel referring to certain statements of witnesses under Section 161 of Cr.P.C. has submitted that there are several materials to prima facie show the involvement of the petitioner in the alleged occurrence including oral dying declaration.

7. Considering the submissions and the severity of allegation and the existence of materials prima facie to show the involvement of the petitioner in the occurrence, I am not inclined to allow the prayer for bail, which is therefore rejected.

8. The BLAPL is accordingly rejected.

(Sashikanta Mishra)
Judge

B.C. Tudu

