

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.849 OF 2022

Bijay Kumar Choudhury

Petitioner
Mr.S.R. Rout,
Advocate

-versus-

State of Orissa

Opposite Party
Mr.G.N.Rout,
ASC

**CORAM:
MR. JUSTICE D.DASH**

ORDER

18.05.2022

Order No.

- 02.
1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
 2. This is the successive journey of the Petitioner, who is in custody in connection with Banki P.S. Case No.209 of 2016 corresponding to S.T. Case No.09 of 2017 and is facing trial for commission of the offence under section 302/201/34 o the IPC pending on the file of the learned 1st Additional Sessions Judge, Cuttack, in filing this application under section 439 Cr.P.C. for consideration of his prayer for grant of bail in the above mentioned case.
 3. Heard.
 4. Considering the submissions made and on going through the materials on record including the depositions of nineteen (19) prosecution witnesses examined so far in the trial as well as other documents admitted in evidence; further keeping in view the

surrounding circumstances, this Court is not inclined to reconsider the prayer for grant of bail to the Petitioner merely taking the long period of detention of the Petitioner in custody as the change circumstance.

However, keeping in view the submissions as to long detention of the Petitioner in custody as an under trial prisoner; the trial court is directed to take all such effective steps as provided in law for early conclusion of the trial in accordance with law.

5. The BLAPL is accordingly dismissed.

Basu



**(D. Dash),
Judge.**