

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1217 of 2022

Shibaram Das @ Siba @ Sibaram Das ***Petitioner***

Mr. S.K. Jena, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.S.K. Nayak, AGA

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

**ORDER
02.08.2022**

Order No.

- 02.
1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
 2. This is the successive journey of this petitioner, who is in custody in connection with Gangpur P.S. Case No.117 of 2019 corresponding to G.R. Case No.444 of 2019 further corresponding to S.T. Case No.63 of 2021 pending in the Court of the learned Additional Sessions Judge, Aska, Ganjam for offence punishable under sections 394, I.P.C. read with section 25(1-B)(a) of the Arms Act in filing this application under section 439, Cr.P.C. for his release on bail.
 3. Learned counsel for the Petitioner submits that this Petitioner being implicated has been taken on remand on 25.04.2020 and is in custody since then. He further submits that other co-accused persons have in the meantime been released on bail and the prayer for grant of this Petitioner has been rejected citing the involvement of the Petitioner in 14 other similar types of cases. He further submits that in all those cases the Petitioner has been released on bail and for his long detention in custody in

connection with the case, his family members are suffering a lot. In view of all these above, he urges for reconsideration of the prayer for grant of bail to this Petitioner.

4. Learned counsel for the State opposes the move. According to him, over and above fourteen numbers of criminal cases, which the Petitioner is facing, another case under section 302, I.P.C. is also running against the Petitioner. He further submits that all those fourteen cases are of the year 2019 in which year the present case has also been registered and the offences are similar which show that the Petitioner is a habitual offender. He therefore submits that the release of the Petitioner on bail would cause serious hurdles in completion of the trial in all those sixteen cases.

5. Considering the submissions made and on going through the materials as placed further keeping in view the involvement of the Petitioner in sixteen number of cases; while being not inclined to re-consider the prayer for grant of bail to the Petitioner, this application is disposed of with the observation that the trial court would do well to take all the effective steps for early conclusion of the trial as expeditiously as possible.

6. The BLAPL is accordingly dismissed.

7. Issue urgent certified copy as per rules.

(D. Dash)
Judge