

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1497 of 2022

Raj Kumar Barik @ Raja

....

Petitioner

Mr. C.R. Dash, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

14.03.2022

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. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case and that he was merely an eyewitness to the occurrence, but falsely entangled. It is further submitted that the so called T.I. parade held to identify the petitioner is entirely faulty inasmuch as prior to such T.I. parade the informant was made to watch C.C. TV footage. It is further submitted that none of the eyewitnesses have implicated the petitioner in any manner.
4. Mr. Tripathy, learned Addl. Standing Counsel has opposed the prayer for bail by referring to the statement of the informant, who has clearly stated about the presence of the petitioner along with the assailants at the spot.

5. Considering the submissions made, the materials on record and existence of prima facie evidence in support of prosecution allegation, I am not inclined to allow the prayer for bail, which is therefore rejected.

6. BLAPL is accordingly rejected.

(Sashikanta Mishra)
Judge

A.K. Rana

