

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.1514 of 2022**

***Wadeka Narji***

*....*

***Petitioner***

*Mr.J.K. Khuntia, Advocate*

*-versus-*

***State of Odisha***

*....*

***Opp. Party***

*Mr.Arupananda Das,  
Addl. Government Advocate*

**CORAM:  
JUSTICE S.K. SAHOO**

**ORDER  
22.07.2022**

**Order No.**

03.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 439 of Cr.P.C. in connection with Narayanpatna P.S. Case No.36 of 2009 corresponding to C.T. Case No. 14 of 2021 pending in the Court of learned Additional Sessions Judge, Koraput for offences punishable under sections 147, 148, 323, 302, 427/149 of the Indian Penal Code.

The prayer for bail of the petitioner was rejected by the learned Additional Sessions Judge, Koraput vide order dated 03.01.2022.

Learned counsel for the petitioner produces the bail order copies of the petitioner in two other cases, which are taken on record.

There is no dispute that it is a case of the year 2009 and charge sheet has been submitted, inter alia, for commission of offence under section 302 of the Indian Penal Code and the petitioner was an absconder for more than eleven years.

Learned counsel submitted that though charge was framed against the petitioner on 30.04.2021, but out of forty four charge sheet witnesses, not a single witness has been examined so far. He further submitted that some of the co-accused persons after facing trial have already been acquitted and therefore, the bail application may be favourably considered.

Learned counsel for the State opposed the prayer for bail and submitted that the petitioner was an absconder for eleven years and once he is released on bail, he may further abscond and thereby, the trial of the case would be further delayed.

Considering the submissions made by the learned counsel for the respective parties, the nature and gravity of the accusation and the fact that the petitioner was an absconder for more than eleven years, while not inclining to release the petitioner on bail, I direct learned trial Court to expedite the trial and conclude the same within a period of one year

from the date of receipt of a copy of the order. The petitioner is at liberty to renew his prayer for bail, if the trial is not concluded within the said period.

The BLAPL is accordingly disposed of.

A copy of the order be communicated to the learned trial Court for compliance.

**( S.K. Sahoo )**  
**Judge**

PKSahoo

