

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1686 of 2022

Ranjan Kumar Behera

....

Petitioner

Mr. S. Dwibedi,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

22.7.2022.

Order No.

- 02.
1. This matter is taken up through virtual mode.
 2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
 3. The Petitioner is in custody since 13th December, 2021 in connection with Nilagiri P.S. Case No.362/2021 corresponding to C.T. Case No.527/2021 pending in the court of learned S.D.J.M., Nilagiri for the alleged commission of the offence under Section 302 of I.P.C. and Sections 25 and 27 of the Arms Act.

4. The Petitioner is the owner of the garage and is said to have called the victim to the said garage where he was killed. The dead body was found from the garage along with a pistol, which was recovered on the basis of the statement of the Petitioner under Section 27 of the Indian Evidence Act. Other eye witnesses namely, Abdul Rifaz Quadri and Raja Singh have also stated about the presence of the Petitioner in the garage during occurrence. Though some co-accused persons have been released on bail by this Court, yet I find that the Petitioner does not stand on the same footing as them.

5. Considering the above facts, I am not inclined to allow the prayer for bail, which is therefore rejected. It is open to the Petitioner to renew his prayer after examination of Abdul Rifaz Quadri and Raja Singh during trial. The committing court is directed to commit the case in the court of Session as early as possible and the concerned trial court shall expedite the trial.

AKB

(Sashikanta Mishra)
Judge