

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2909 OF 2022

Raju Naik

***..... Petitioner
Mr. U.C. Jena, Advocate***

-versus-

State of Odisha

***..... Opposite Party
Mr. K.K. Gaya, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
19.04.2022**

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is accused in connection with C.T. Case No. 121 of 2021 arising out of S.T. Case No. 15 of 2021 corresponding to Deogarh P.S. Case No. 62 of 2021, pending on the file of the learned Additional Sessions Judge, Deogarh for the alleged commission of offence under Sections-302/201 of the IPC and is in custody since 13.03.2021.
3. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned Additional Sessions Judge, Deogarh by Order dtd. 28.03.2022 in S.T. Case No. 15 of 2021, the present BLAPL has been filed.

4. Heard Mr. U.C. Jena, learned counsel for the petitioner and Mr. K.K. Gaya, learned Additional Standing Counsel for the State.

5. Learned counsel for the petitioner submits that, since the petitioner is in custody dtd. 13.03.2021 and Charge-sheet has been filed on 08.07.2021 his further continuance is not warranted in the case at hand.

6. Learned counsel for the State referring to the statement of one Chandan, who specifically stated about the conduct of the petitioner soon after the deceased went missing and referring to the very P.M. Report on which reliance is placed by the learned counsel for the petitioner submits with vehemence that the facts and circumstances unequivocally point to the guilt of the petitioner and hence seeks rejection of the bail application.

7. Taking into account that charge-sheet has already been filed and the nature of accusation being circumstantial, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter including that the petitioner shall appear in person before the jurisdictional Police Station once in every month till conclusion of the trial. The first date to be fixed by the learned Court in seisin over the matter.

8. It is needless to state here that, in the case of violation of the condition of appearance as fixed, it shall be open to the learned Court below in seisin over the matter to take in

accordance with law for cancellation of bail without any further reference to this Court.

9. The Bail Application thus stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

Balaram

*(V.Narasingh)
Judge*

