

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4744 OF 2022

Purnna@ Purnachandra Naik & Anr.

***..... Petitioners
Mr. B.K. Ghadei, Advocate***

-versus-

State of Odisha

***..... Opposite Party
Mr. J.P. Patra, ASC***

CORAM:

JUSTICE V. NARASINGH

**ORDER
24.05.2022**

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is seeking pre-arrest bail in connection with G.R. Case No. 17 of 2022, arising out of Baramba P.S. Case No. 19 of 2022 pending in the Court of learned J.M.F.C., Baramba, Cuttack for the alleged commission of offence punishable under Sections-294/302/120-B/506/34 of the I.P.C.
4. It is submitted by the learned counsel for the petitioner that the allegation under Section-302, I.P.C is attributed to one Muna Nayak, who is in custody and it is submitted that even if, the allegation on its face value are accepted, no case under

Section-302, I.P.C. is made out. Hence seeks interference of this Court under Section-438 Cr.P.C.

5. At this stage, there is no possible for this Court to decide for this allegation.

6. Taking into account, the nature of the allegation this Court is not inclined to entertain this application under Section-438 Cr.P.C, the bail application of the petitioner stands rejected.

7. Accordingly, the ABLAPL stands dismissed.

8. Urgent certified copy of this order be granted as per rules.

Balaram

*(V.Narasingh)
Vacation Judge*