

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10531 of 2022

Ani Harijan

.... ***Petitioner***
Mr. A. Mishra, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. P.K. Pattnaik, A.G.A.

CORAM:
JUSTICE G. SATAPATHY

ORDER
18.01.2023

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Bhairab Singhpur P.S. Case No. 86 of 2022 corresponding to C.T. Case No. 86 of 2022 pending in the file of learned Additional Sessions Judge, Jeypore for commission of offence punishable U/S. 302 of IPC, on the allegation of committing murder of the deceased.
 3. In the course of hearing of the bail application Mr. A. Mishra, learned counsel for the Petitioner submits that even if the materials on record are taken into consideration, no case U/S. 302 of IPC is attracted against the Petitioner and at best a case, U/S. 304 Part-II of IPC can be stated to be made out against the Petitioner, but the Petitioner having detained in custody since 11.03.2022, may kindly be granted bail.
 4. Mr. P.K. Pattnaik, learned A.G.A., by placing the statement of one Nilakantha Pattnaik prays to reject the bail application of the Petitioner.

5. After considering the rival submissions made and taking into consideration the nature and gravity of accusations raised against the Petitioner and on going through the materials placed on record including the statement of witness Nilakantha Pattnaik and regard being had to the manner of implication of the Petitioner in this case, this Court is not inclined to grant bail to the Petitioner.

6. Hence, the bail application of the Petitioner stands rejected. However, liberty is granted to the Petitioner to renew his prayer for bail after examination of the said witness Nilakantha Pattnaik as requested by learned counsel for the Petitioner.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(*G. Satapathy*)
Judge

Priyajit

