

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 3597 OF 2022

Gaya Das

..... ***Petitioner***
Mr. Anirudha Das, Adv.

-versus-

State of Odisha

..... ***Opposite Party***
Mr. A. Pradhan, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
05.08.2022

Order No.
02.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in connection with G.R. Case No. 615 of 2021 arising out of Balimi P.S. Case No. 224 of 2021 on the file of learned SDJM, Hindol, registered for the alleged commission of offence under Section 302/120(B)/34 of the I.P.C.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned ADJ-cum-Special Judge (Vigilance), Dhenkanal by order dated 7.04.2022, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that there is no direct material to implicate the petitioner and the accusation is based on confessional statement of the petitioner himself. Hence, he seeks release of the petitioner inter alia on the ground of filing

of Charge-sheet and it is submitted that further continuance in custody becomes punitive.

6. Learned counsel for the State has placed the statements of one of the sons of the deceased Mitu Sahu and village gentries namely, Musa Sahu and Sanatan Panigrahi, which prima facie indicate the motive of the petitioner and taking into account the discovery of weapon of offence under Section 27 of the Evidence Act and the Post Mortem report, this Court is not inclined to entertain this bail application at this stage.

7. Accordingly, the BLAPL stands rejected.

(*V.Narasingh*)
Judge

Dhal

