

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3654 of 2020

Deb Kumar @ Deo Kumar Gond ***Petitioner***

-versus-

State of Odisha ***Opposite Party***

CORAM: JUSTICE S.PUJAHARI

ORDER

24.06.2022

Order No.

07.

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 being in custody in G.R. Case No.260 of 2016 arising out of Kundei P.S. Case No.20 of 2016 pending in the court of learned Addl. District and Sessions Judge, Umerkote, has filed this petition for his release on bail. The offence alleged against him is punishable under Section 302/34 IPC.
4. It appears that pursuant to the order dated 13.05.2022, learned Addl. District Sessions Judge, Umerkote has sent the report to this Court mentioning that all the witnesses except Medical Officer and Investigating Officer have been examined.
5. Considering the facts and the submissions made, especially the nature and gravity of accusation, incriminating materials

collected during the investigation indicates the indictment of the Petitioner, circumstances in which the offence stated to have been committed by the Petitioner and the offence alleged being heinous and serious in nature so also the punishment provided on conviction being capital one, this Court is not inclined to release the Petitioner on bail more so when possibility of the Petitioner's release having an adverse impact on the free and fair trial and his absconding is not ruled out.

6. Therefore, the prayer for release of the Petitioner on bail stands rejected.

7. Accordingly, this BLAPL stands disposed of being dismissed.

8. However, the trial court shall do well to conclude the trial of the aforesaid case as expeditiously as possible, preferably within three months positively. Furthermore, it is observed that rejection of the bail application of the Petitioner shall not stand on the way of the trial court while disposing of the case in any manner,

(S. Pujahari)
Judge

PKS