

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4192 of 2022

Kedar Majhi

....

Petitioner

Mr. B. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

15.07.2022

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioner and learned counsel for the State.

This is an application for bail under section 439 of Cr.P.C. in connection with Chandpur P.S. Case No.37 of 2020 corresponding to S.T. case No. 34/102 of 2020 pending in the Court of learned Addl. Sessions Judge, Nayagarh for alleged commission of offences under sections 147, 148, 341, 323, 324, 325, 326, 307, 302, 395, 294, 506, 149 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since

25.09.2020 and his earlier bail application in BLAPL No.8056 of 2020 was rejected as per order dated 16.03.2021 and the petitioner was granted liberty to renew his prayer for bail after examination of the eye witnesses in the trial Court.

As per the order dated 30.06.2022, the learned trial Court has furnished the status report dated 08.07.2022 from which it reveals that the case is now posted to 21.07.2022 for consideration of charge. It is mentioned that the accused persons who are on bail, are not appearing, for which the framing of the charge is getting delayed. As the petitioner is in judicial custody since 25.09.2020 and the case was committed to the Court of Session in the year 2020, I direct the learned trial Court shall make every endeavour to consider the framing of the charge on the next date and no time petition filed by the co-accused for the appearance shall be entertained and necessary steps shall be taken in accordance with law. After framing of the charge, the learned trial Court shall take immediate steps for examination of the eye witnesses and for ensuring the attendance of the eye witnesses, the learned trial Court shall take the assistance of the Inspector in-charge of Chandpur Police Station. The petitioner is at liberty to renew the prayer for bail after examination of the eye witnesses.

The BLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

Let a order be communicated to the Court concerned forthwith.

(S.K. Sahoo)
Judge

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