

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4856 of 2022

Toran Singh Majhi & Another ***Petitioners***

Mr. S.K. Sarangi, Advocate

-versus-

State of Orissa ***Opposite Party***

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
16.08.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in C.T. Case No.763 of 2021 corresponding Dharmabandh P.S. Case No.57 of 2021, pending in the Court of learned S.D.J.M., Nuapada, under Sections 302/201 of the IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned S.D.J.M., Nuapada, by order dated 12.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that there are no materials to connect the petitioners with the alleged crime and it is stated that since charge-sheet has already been filed on 13.04.2022, further continuance of the petitioner in custody is unwarranted.

6. While opposing the prayer for bail, learned counsel for the State places reliance on the statement of one khel singh cited as charge-sheet witness No.16 who is a witness to the extra judicial confession.

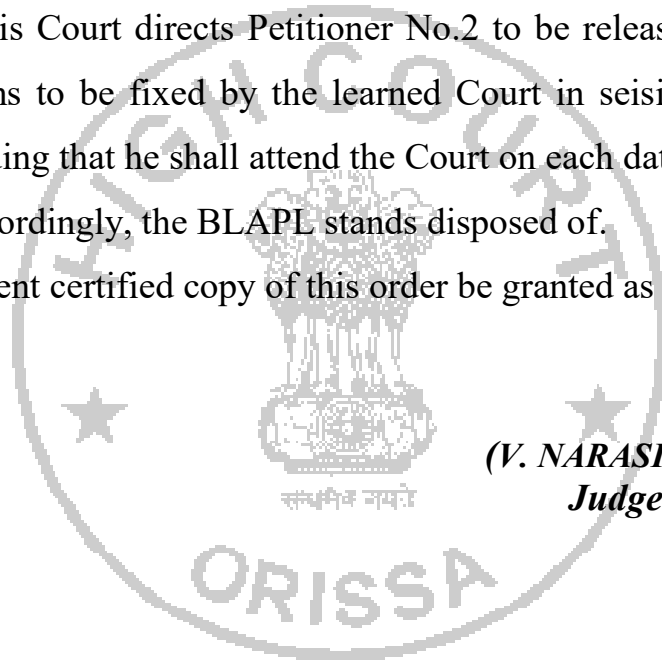
7. Taking into account such submission, this Court is not inclined to entertain the bail application of Petitioner No.1, the same accordingly stands rejected. It is open to the petitioner to move after examination of material witnesses.

8. Considering the submissions of learned counsel for the petitioner, this Court directs Petitioner No.2 to be released on bail on such terms to be fixed by the learned Court in seisin over the matter including that he shall attend the Court on each date of trial.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

Santoshi



(V. NARASINGH)
Judge