

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5152 of 2022

Bihar Ranjan Das @ Nihar Petitioner
Ranjan Das

Mr. S. Panda, Advocate

-versus-

State of Odisha Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
03.11.2022**

Order No.

03.

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

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

This is an application under section 439 of Cr.P.C. in connection with Keonjhar Sadar P.S. Case No.62 of 2020 corresponding to S.T. Case No. 31/76 of 2021 pending in the Court of learned C.J.M. -cum- Asst. Sessions Judge, Keonjhar for offences punishable under section 395 of the Indian Penal Code and sections 25/27 of the Arms Act.

The petitioner moved an application for bail before the Court of learned Sessions Keonjhar, which was rejected on 27.05.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 11.06.2021 and in the meantime the trial has commenced and two of the co-accused

persons, namely, Birun Doraiburu and Lachhman Honhaga have been released on bail by this Court in BLAPL No. 997 of 2022 and BLAPL No. 7360 of 2021 as per orders dated 10.03.2022 and 20.09.2021 respectively and therefore, since the petitioner is similarly situated, his prayer for bail may be favourably reconsidered.

Learned counsel for the State opposed the prayer for bail on the ground that there is one criminal antecedent against the petitioner, which is also for the commission of offence under section 395 of the Indian Penal Code and after being released on bail in the said case, the petitioner has allegedly committed the offence in the present case.

Perused the order passed by this Court in the earlier bail application of the petitioner in BLAPL No.5575 of 2021 dated 08.12.2021, which reveals that it is a case of bank dacoity and the involvement of the petitioner is based on the CCTV footage and therefore, this Court was not inclined to release the petitioner on bail.

In view of the available materials on record, even though the co-accused persons have been released on bail, I am not inclined to release the petitioner on bail. However, the learned trial Court shall do well to expedite the trial.

The BLAPL is accordingly disposed of.

(S.K. Sahoo)
Judge