

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5279 of 2022

Beda @ Chandan Mallik

....

Petitioner

Mr. B.S. Dasparida, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

04.08.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned senior counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in C.T. Case No.25 of 2022, on the files of learned S.D.J.M., Boudh, arising out of Boudh P.S. Case No.21 of 2022, under Sections 302 IPC .
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District and Sessions Judge, Boudh, by order dated 19.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that there is no materials on record to connect the petitioner with the alleged crime and the only material to implicate the petitioner is inadmissible in as much as the same amounts to confession made before the police.

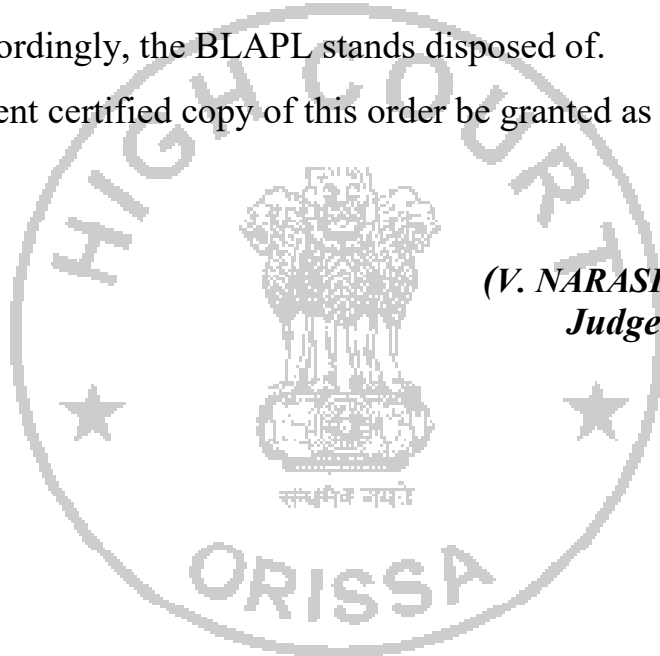
6. Perused the case record produced by the learned counsel for the State. There are statements on record which point to the altercations between the petitioner and the deceased which prima facie establish the complicity of the petitioner coupled with the materials on record under Section 27 of the Evidence Act.

7. Hence at this stage, this Court is not inclined to entertain this bail application. It shall be open to the petitioner to move this Court afresh after the examination of Sumitra Mirdha and Biren Bisoi.

8. Accordingly, the BLAPL stands disposed of.

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

Santoshi



(V. NARASINGH)
Judge