

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5709 of 2022

Mahendra Patra

....

Petitioner

Mr. P.K. Nayak, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

14.10.2022

Order No.

02.

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 is an accused in connection with S.T. Case No.46 of 2018 pending on the file of learned Additional District and Sessions Judge, Bonai arising out of Bonai P.S. Case No.31 of 2018, for alleged commission of offences under Sections 376-D/376(2)(I) of IPC and is in custody since 20.03.2018.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bonai by order dated 19.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. This is the third journey of this petitioner to this Court but unfortunately there is no reference to the earlier bail applications disposed of by this Court namely BLAPL No.7791 of 2018 and

BLAPL No.5661 of 2020 disposed of on 25.01.2019 and 12.05.2022 respectively.

6. Considering the conduct of the petitioner, this Court is not inclined to entertain this bail application.

7 Learned Court in seisin over the matter is once again called upon to conclude the trial within a period of two months from the date of receipt/production of certified copy of this order.

8. Registry is requested to communicate the same.

9. On the Administrative side, learned Registrar (Judicial) is requested to call for a report from the concerned Court as to whether any extension from this Court was sought when the trial could not be concluded within time stipulated and citing the same in terms of the order dated 12/05/2022 in BLAPL No.5661 of 2020, the petitioner filed the present BLAPL. The matter be dealt with on the Administrative side and may be placed before the concerned Hon'ble Administrative Judge for follow up action to be taken, if deemed necessary against the Court in seisin over the matter. Before parting, this Court is constrained to observe that of late this has become the unwelcome practice of the District Judiciary not to seek extension of time even when time stipulated prescribed by the High Court has expired. Such unhealthy trends need to be assessed forthwith in the interest of dispensation of justice.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge