

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA NO.336 OF 2021

Soumya Ranjan Jena @ Tapu ***Petitioner***

Mr. Milan Kanungo, Sr. Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. S.K. Nayak, AGA.

CORAM:

MR. JUSTICE D.DASH

ORDER

20.04.2022

Order No.

03.

1. This matter is taken up through hybrid arrangement (physical/ virtual) mode.

2. This is the successive journey of this Appellant who is in custody in connection with Dharmasala P.S. Case No.182 of 2015 corresponding to C.T. Special Case No.25 of 2016 pending in the Court of learned Additional Sessions Judge-cum-Special Judge, Jajpur in filing this Appeal under Section 14(A) of the SC & ST (PA) Act read with Section-39 of the Code of Criminal Procedure.

3. Heard Mr. Milan Kanungo, learned Senior Counsel for the Appellant and Mr. S.K. Nayak, learned Additional Government Advocate for the Respondent. None appears for the Respondent No. 2 despite opportunity.

Certified copy of the deposition of victim examined in the trial as P.W.2 filed by the learned Counsel for the Appellant in Court today, is taken on record.

4. Keeping in view the submissions made, I have gone through the record as placed and have perused the depositions of the Victim and other witnesses.

In view of the direct evidence of the Victim whose acceptance would depend upon the appreciation in the trial and the

manner in which the incident is said to have taken place as those emerge from the materials on record, as also other surrounding circumstances; further viewing the quantum of punishment prescribed for such offence for which the Appellant is facing the trial, this Court is not inclined to reconsider the prayer for grant of bail to the Petitioner taking into account the period of detention of the Appellant in custody being the only changing circumstance. Accordingly, the Criminal Appeal stands dismissed.

It is, however, needless to observe that the Trial Court would do well to take all such effective steps as provided in law for early conclusion of the trial.

5. The CRLA is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan

