

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6856 OF 2022

Nabin Lakra

***..... Petitioner
Mr. P.K.Nayak, Adv.***

-versus-

State of Odisha & another

***..... Opposite Parties
Mr. P.K.Maharaj, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
04.08.2022**

Order No.

O1.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The petitioner is an accused in connection with Brahmanitarang P.S. Case No.89 of 2017 corresponding to G.R. Case No. 288 of 2017(corresponding to ST. No.150/2017), pending on the file of the learned 2nd Addl. Sessions Judge, Rourkela, for commission of the alleged offence under Sections 376-D/302/34 of I.P.C.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned 1st Addl. Sessions Judge, Rourkela by order dated 10.06.2022, the present BLAPL has been filed.
5. Learned counsel for the petitioner places reliance on the order passed by this Court dated 1.03.2019 in BLAPL No. 2054 of 2018

relating to co-accused Rabin Kishan @ Sukra submits that his bail application merits consideration since he is similarly circumstanced.

6. On evaluation of the materials on record, this court is of the prima facie view that the petitioner is not similarly circumstanced as rightly noted by the learned Sessions Judge while dealing with the bail application of the petitioner.

7. Keeping in view the nature of allegation and that trial has commenced and notwithstanding that many of the witnesses have resiled from the statement, this Court is not persuaded to release the petitioner at this stage since such release would affect impeding the trial. Accordingly, the BLAPL stands rejected.

8. The learned court in seisin over the matter shall do well to conclude the trial within a period of two months from the date of receipt/production of certified copy of this order.

Dhal

(V.Narasingh)
Judge

