

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7042 of 2022

***Laxmi Narayan Paikray @
Kuna Paikray*** ***Petitioner***

Mr. S.K. Pattnaik, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
02.09.2022**

**Order No.
02.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is an accused in Khallikote P.S. Case No.173 of 2022 corresponding to G.R. Case No.402 of 2022 pending before the learned J.M.F.C., Khallikote, under Sections 341/323/324/307/34 of IPC.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Khallikote, by order dated 13.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that the co-accused Amjad Khan @ Papu and Mantu Pradhan have been released on bail by order of this Court dated 12.07.2022 in BLAPL No.4187 of 2022.

6. It is stated that in the said order the injury sustained have been taken note of and hence inter alia on the ground of parity, the prayer is made for release on bail.

7. Learned counsel for the State opposes the prayer inter alia on the ground that the petitioner has criminal proclivity, which has been noted in rejection order.

8. This Court had occasioned to peruse the statement of the injured Asit Nayak and one Paresh Kumar Sethi an eyewitness who accompanied the injured in a motor bike.

9. Taking into account the statement of the injured and Paresh Kumar Sethi, the manner in which the assault has taken place and keeping in view the series of the criminal antecedents of the petitioner as stated in the rejection order, this Court is not inclined to entertain this bail application at this stage.

10. It shall be open to the petitioner to renew his prayer after examination of the injured.

11. Accordingly the BLAPL stands rejected.

(V. NARASINGH)
Judge

Ayesha