

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7498 of 2022

Basudev Pradhan

....

Petitioner

Mr. Dhal, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
25.08.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard Mr. Dhal, learned Senior counsel for the petitioner, and Mr. P.K. Maharaj, learned Additional Standing Counsel for the State.
3. The petitioner is an accused in Belpada P.S. Case No.52 of 2022 corresponding to G.R. Case No.196 of 2022, pending in the Court of learned S.D.J.M., Patnagarh, under Sections 302/34 of IPC read with Sections 25 & 27 of Arms Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Patnagarh, by order dated 12.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned Senior Counsel for the petitioner submits that the basis of implication is on account of circumstantial evidence and in view of the long standing dispute inter-se between the parties, the

petitioner has been roped in falsely. It is submitted that as charge-sheet has already been filed on 25.07.2022, and the petitioner is in custody since 31.03.2022, his further continuance in custody in the factual matrix of the case at hand, is unwarranted.

6. Per contra, learned counsel for the State opposing the prayer for bail has relied on the statement of one Chatrubhuja Sahu and others who have testified to the deceased implicating the petitioner as one of the persons responsible for his condition.

7. Taking note of such submission and the evidence on record of as noted, this Court is not inclined to entertain this bail application of the petitioner at this stage.

8. It shall be open to the petitioner to renew his prayer after examination of material witnesses.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha

(V. NARASINGH)
Judge