

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7614 of 2022

Harihar Mohanty

....

Petitioner

Ms. D. Mahapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.08.2022

Order No.

01.

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 G.R. Case No.294 of 2022, on the files of J.M.F.C. Purushottampur, arising out of Purushottampur P.S. Case No.314 of 2022, under Sections 302/323/326/307/34 of IPC and is in custody since 08.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Chatrapur, Ganjam, by order dated 08.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Relying on the statement of the one Ajit Kumar Panigrahi and the statement of Indrajit Nayak, it is submitted that since no overt act is specifically attributed to the petitioner he is entitled to

be released on bail not withstanding that the investigation is going on.

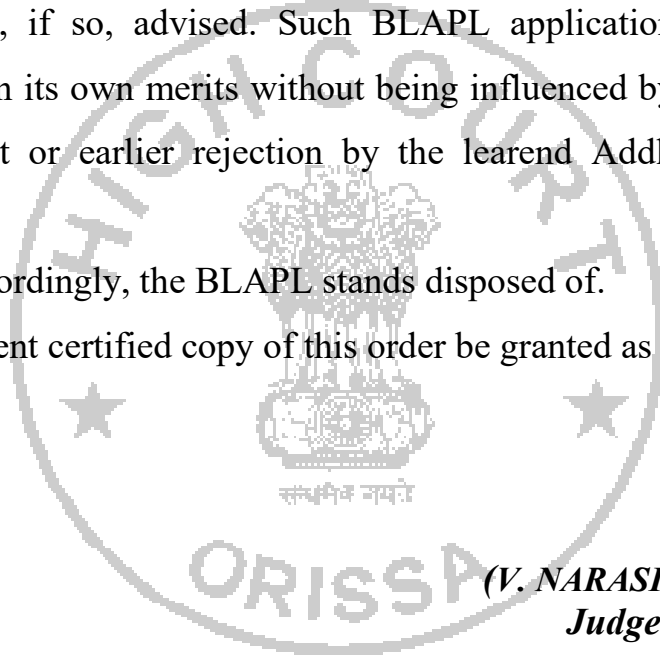
6. This Court had occasion to peruse the statement of the injured Ajit Kumar Panigrahi which is on record.

7. Taking note of the nature of allegation and the background in which the allegation is leveled this Court is not inclined to entertain this application when the investigation is going. The bail application is accordingly rejected.

8. Liberty is granted to the petitioner to move after filing of charge sheet, if so, advised. Such BLAPL application shall be considered on its own merits without being influenced by the order of this Court or earlier rejection by the learend Addl. Sessions Judge.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi