

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8081 of 2022

Sisir Chandra Swain @ Sana

Petitioner

Mr. B.P. Mohanty, Advocate

-versus-

State of Odisha

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in G.R. Case No.179 of 2022, pending in the file of learned J.M.F.C., Barbil, arising out of Joda P.S. Case No.47 of 2022, for commission of alleged offences under Sections 341/323/302/34/477/342 of IPC and is in custody since 26.03.2022.

4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Champua by order dated 21.06.2022 in the aforementioned case, the present BLAPL has been filed.

5. It is on record that the charge sheet in the case at hand was filed on 22.07.2022 and the consideration by the learned Court in seisin was prior to and the same has been clearly reflected in the order of rejection.

6. Taking into account the nature of allegations, this Court is not inclined to entertain this bail application without having the

benefit of scrutiny of materials on record by the learned Sessions Judge.

7. Accordingly the bail application stands disposed of giving liberty to the petitioner to renew his prayer before the learned Court in seisin which shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court.

(V. NARASINGH)
Judge

Santoshi

