

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8854 of 2022

Satyajit Padhi @ Bablu

....

Petitioner

Mr. D. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.09.2022

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 connection with C.T. Case No.61 of 2022, pending in the file of learned J.M.F.C., Karanjia, arising out of Jashipur P.S. Case No.64 of 2022, for offences under Sections 302/201/34 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, Karanjia, by order dated 27.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that there are no direct materials to implicate the present petitioner and it is more or less based on circumstantial evidence as such since preliminary charge-sheet has already been filed, further continuance of the petitioner is unwarranted.

6. Per contra, learned counsel for the State submits that the vehicle involved in the offence was discovered under Section 27 of the Evidence Act at the instance of the petitioner.

7. This Court also perused the statement of Sanjy Kumar Bal, which has been referred to by the learned Court in seisin over the matter.

8. On a conspectus materials on record, this Court is **not inclined** to consider the bail application at this stage.

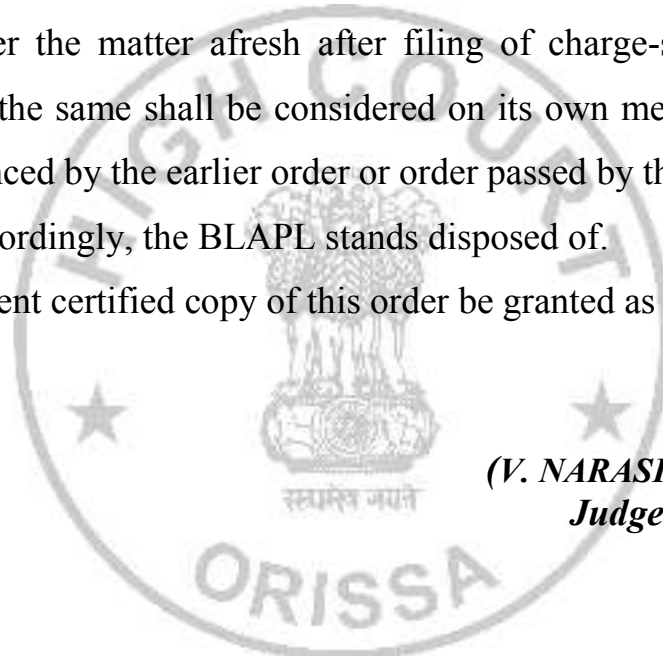
It shall be open to the petitioner to renew his prayer at a later stage.

9. It shall be open to the petitioner to move the learned Court in seisin over the matter afresh after filing of charge-sheet if so advised and the same shall be considered on its own merit without being influenced by the earlier order or order passed by this Court.

10. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge