

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9002 of 2022

Rajkumar Sahani **Petitioner**

Mr. L.N. Patel, Advocate.

-versus-

State of Odisha **Opp. Party**

Mr. G.R. Mohapatra, ASC.

CORAM:
DR. JUSTICE S.K. PANIGRAHI

ORDER

22.12.2022

Order No.

- 2.
1. This matter is taken up by video conferencing mode.
 2. Heard, learned counsel for the petitioner and learned counsel for the State.
 3. The petitioner is in custody in connection with Aithanapali PS Case No. 34 of 2020 arising out G.R. Case No. 233 of 2020 corresponding to S.T. Case No.01/04 of 2021-22 pending before the court of the learned Additional Sessions Judge (L.R. & L.T.V.), Sambalpur has filed this application under Section 439 of Cr.P.C. for his release on bail.
 4. The brief fact of the case is that on 21.01.2020, the informant found a dead body of a lady near Gupta Market Complex, Bareipali. The petitioner was arrested because he was seen with the deceased on the previous night of the

occurrence and he facilitated the discovery of the weapon used in the murder.

5. Learned counsel for the petitioner submits that the petitioner is innocent and not connected to the offence in any way. The petitioner has been implicated merely on suspicion. Charge-sheet has been submitted and the petitioner is in custody since 21.01.2020.

6. Learned counsel for the State vehemently opposed the bail prayer of the petitioner. He submits that the statements of the witnesses corroborate the prosecution version and implicate the petitioner. Moreover, the deceased was raped as per medical report.

7. Considering the nature and gravity of the accusation, character of evidence appearing against the petitioner and the conviction provided in the event of conviction I am not inclined to release the petitioner on bail. Hence, the prayer for bail stands rejected. However, the learned counsel for the State ensures that the Chemical Report be supplied before the learned Trial court as early as possible so that the trial can be made in proper manner.

8. The BLAPL is accordingly disposed of as dismissed.

(Dr. S.K. Panigrahi)
Judge