

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No. 797 of 2022

Pitambar Behera @Renga@Turu

Appellant

*Mr. S. Das,
Advocate*

-Versus -

State of Odisha

Respondent

*Mr.P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.11.2022

Order No.

7.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the appellant and learned counsel for the State.
3. Learned State Counsel informed that the notice on the informant has been served on 18.10.2022. There is however no appearance, the appeal is therefore taken up for hearing.
4. The appellant is in custody in connection with Jashipur P.S. Case No. 87 of 2022 corresponding to Spl. G.R. Case No. 08 of 202 pending in the court of learned S.D.J.M., Karanjia for the alleged commission of offence under Sections 302/201 of the IPC read with Section 3(2)(v) of SC and ST (PA) Act.
5. The case of the prosecution is that the appellant took the deceased on his motorcycle who was carrying cash of Rs.30,000/-. While the appellant returned, the deceased was not to be seen. On a missing report being lodged, followed by inquiry, the dead body of the deceased was recovered from a drain.

6. In course of investigation, the appellant gave a statement under Section 27 of Evidence Act and led the IO to the spot of concealment of the weapon of offence. This is therefore, a case where there are strong circumstances, prima facie indicating a complicity of the appellant in the alleged offence.

7. Considering the above fact, I am not inclined to allow the prayer for bail, which is therefore, rejected.

8. The CRLA is accordingly rejected.

(Sashikanta Mishra)
Judge



B.C. Tudu