

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9070 of 2022

Makaranda Nayak & another ***Petitioners***

Mr. K.C.Pradhan
Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.11.2022.

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. As per the certified copy of the surrender certificate filed in court, it appears that the Petitioners have surrendered to custody on 22nd October, 2022. This is a successive bail application of Petitioner No.1, whose application was rejected by this Court as per the order passed in BLAPL No.1430/2022.
4. The prosecution case is that the deceased had illicit relationship with Petitioner No.2's wife. Petitioner No.1 is the

elder brother of Petitioner No.2. As such, both of them killed the deceased by assaulting him by means of an axe. The axe was recovered at the instance of Petitioner No.2. There is also an extra judicial confession made by Petitioner No.1 before the villagers. All these suggest a strong prima facie case against the Petitioner. As such, I am not inclined to release the Petitioners on bail.

5. The bail application is, therefore, rejected. Trial Court is directed to expedite the trial, if there is no impediment.

AKB

(Sashikanta Mishra)
Judge

