

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9632 of 2022

Ujal Jal & another

....

Petitioners

Mr. H.S Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
20.10.2022

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. Heard learned counsel for the Petitioners and learned counsel for the State.
 3. The Petitioners are accused in Sessions Case No.98 of 2022 pending in the file of learned Sessions Judge, Balangir, arising out of Loisingha P.S Case No.136 of 2022, for commission of offence under Sections 302/34 IPC.
 4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Balangir by order dated 13.09.2022 in the aforementioned case, the present BLAPL has been filed.
 5. It is submitted by the learned counsel for the Petitioners that even if the entire allegation of the prosecution is accepted at the face value, no case under Section 302 IPC is made out.

6. Learned counsel for the State places on record the statement of the injured Saroj Bisi, who has specifically stated the overt act committed by the Petitioners.

7. Taking into account such statement, this Court **is not inclined** to entertain this bail application at this stage.

8. Accordingly, the bail application stands rejected. It shall be open to the Petitioners to move the bail application afresh before the Court in seisin over the matter after examination of the injured- Saroj Bisi.

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

(V. NARASINGH)
Judge

PKS

