

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9712 of 2022

Tikina @ Santosh Nayak

....

Petitioner

Mr. A.K. Raut, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

Ms. A. Sahoo & Associates, Advocate

(Informant)

CORAM: JUSTICE V. NARASINGH

ORDER

26.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.
3. Learned counsel Ms. A. Sahoo & Associates have entered appearance on behalf of the informant/victim. Vakalatnama filed on behalf of the informant/victim is taken on record. Name of Ms. A. Sahoo & Associates be reflected in the file, in the cause list as well as in the CMS of this Court.
4. The petitioner is an accused in connection with G.R. Case No.81 of 2022, pending in the Court of learned J.M.F.C., Khandapada, arising out of Khandapada P.S. Case No.84 of 2022, for alleged commission of offences under Sections 294/323/324/341/307/354/506/326/34 of IPC read with Section 25/27 of Arms Act.

5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Khandapada, by order dated 28.09.2022 in the aforementioned case, the present BLAPL has been filed.

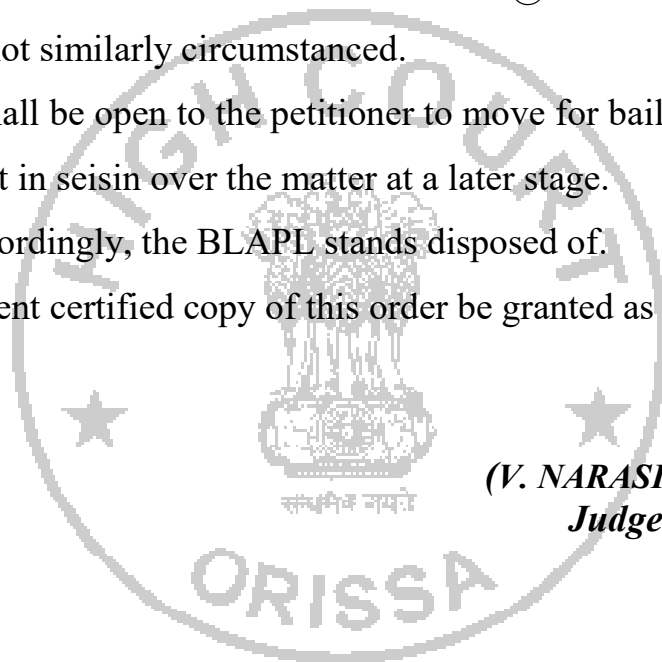
6. Perused the statement of the injured-Susanta Kumar Sahoo, who has attributed the assault on the head by the petitioner. Hence, this Court is **not inclined** to entertain the bail application at this stage notwithstanding the release of the co-accused Sudar @ Sudarsan Nayak, being persuaded by the submission of the learned counsel for the informant that the said Sudar @ Suarsan Nayak is prima facie not similarly circumstanced.

7. It shall be open to the petitioner to move for bail before the learned Court in seisin over the matter at a later stage.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge