

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10189 of 2022

Tikamani @ Tika Meher

....

Petitioner

Mr. N. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with S.T. Case No.50 of 2022 corresponding to C.T. Case No.84 of 2022, pending in the Court of the learned Additional District & Sessions Judge, Boudh, arising out of Baunsuni P.S. Case No.15 of 2022 for commission of alleged offences under Sections 498-A/323/324/302/307/34 of IPC and is in custody since 29.02.2022.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Boudh, by order dated 22.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner is in custody since 29.02.2022 and charge sheet has already been filed on 24.06.2022. Hence further continuance of the petitioner in custody is not warranted.

5. It is specific submission of the learned counsel for the petitioner that the principal accused is one Rajkumar Meher, petitioner may be released on bail.

6. Learned counsel for the State places the statement of Bedamati Meher-C.W.12.

7. On perusal of the same, it is seen that the present petitioner along with said Raj Kumar Meher entered with Tangia into the room where the deceased and others were sleeping.

8. Though it is record that the death of Srabani Meher prima facie attributed to Raj Kumar Meher, in view of the role ascribed to the present petitioner in actively participating in the commission of the offence, this Court is not inclined to entertain this bail application at this stage.

9. Accordingly the BLAPL stands rejected.

10. It shall be open to the petitioner move the learned Court in seisin after examination of Bedamati Meher.

(V. NARASINGH)
Judge

Santoshi