

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10281 of 2022

Babula Bisoi **Petitioner**

Ms. S. Jena, Advocate.

-versus-

State of Odisha **Opp. Party**

Mr. G.R. Mohapatra, ASC.

CORAM:
DR. JUSTICE S.K. PANIGRAHI

ORDER

22.12.2022

Order No.

- 4.
1. This matter is taken up by video conferencing mode.
 2. Heard, learned counsel for the petitioner and learned counsel for the State.
 3. The petitioner is in custody in connection with Tikabali P.S. Case No.51 dated 17.08.2020 registered for commission of offences under Sections 341/323/325/302/34 of the IPC corresponding to S.T. Case No.2 of 2021 pending in the court of learned Additional District & Sessions Judge, Baliguda.
 4. Learned counsel for the petitioner submits that the petitioner has been falsely entangled in this case. There is no eye witness to the occurrence. He further submits that the charge sheet has been submitted and 4 out of 29 charge sheeted witnesses have been examined. The petitioner is

languishing in custody since 17.08.2020. Since the petitioner is the permanent resident of his given address, there is no chance of his absconding, if he is released on bail.

5. Learned counsel for the State vehemently opposes the prayer for bail. He further submits that the petitioner has severely assaulted the deceased with an iron rod and thenga causing severe bleeding injuries from his nose and mouth, for which, the deceased succumbed to the injuries. He also submits that the offence is grave and serious in nature.

6. Taking into consideration of the above facts and circumstances of the case and the punishment prescribed in the event of conviction, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail is rejected. However, this Court directs the learned trial court to expedite the trial, if not already completed, within a period of six months from the date of presentation of certified copy of this order.

7. The BLAPL is accordingly disposed of.

8. Issue urgent certified copy of this order on proper application.

(Dr. S.K. Panigrahi)
Judge