

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO. 9343 OF 2021

Ganeswar Nayak

....

Petitioner

Mr.Akshaya Kumar Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Ananda Dash, ASC

**CORAM:
JUSTICE S.K. PANIGRAHI**

**ORDER
04.03.2022**

**Order
No.**

- 01.
1. This matter is taken up by virtual/physical mode.
 2. Heard learned counsel for the parties.
 3. In the earlier rejection order dated 021.09.2021 passed by this Court in BLAPL No.5250 of 2021 the petitioner was given liberty to renew the prayer for bail after framing of charge. Accordingly, the petitioner has moved this bail application for his release on bail.
 4. It appears that though the charge has been framed by the court below for the offences as alleged in the FIR but no change in the circumstance has occurred taking into consideration of materials available on record.
 5. On the otherhand, learned counsel for the State has also vehemently opposed the prayer for bail of the petitioner with the submission that the petitioner was a supplier of gun powder to the principal offender without having any valid document.

Therefore, due to gravity of the offence, he ought not to be enlarged on bail.

6. Considering the nature and gravity of the accusation, character of evidence appearing against the petitioner, the stringent punishment provided and that there are reasonable grounds for believing that the petitioner is not guilty of the offence alleged or not likely to commit any such offence, which is not possible to record in this case, the prayer for bail is devoid of merit. Hence, the prayer for bail stands rejected.

7. However, since it is prayed for expedite of trial, the trial court is directed to conclude the trial preferably within a period of six months.

8. The BLAPL is accordingly, disposed of.

9. Issue urgent certified copy as per Rules.

(S.K.Panigrahi)
Judge

LB