

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9412 of 2021

Amar Singh Majhi.

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
07.01.2022

01. 1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The ★ petitioner being in ★ custody in C.T. Case No.26 of 2020, arising out of Tuamula Rampur P.S. Case No.100 of 2019, pending in the Court of the learned Sessions Judge, Kalahandi at Bhawanipatna, has filed this petition for his release on bail. The offences alleged against him are punishable under Sections 376, 506, 294 and 341 of IPC.
4. It appears that the earlier prayer for bail of the petitioner was rejected by this Court vide order dated 15.09.2020 in BLAPL No.33 of 2020 by a reasoned order looking into the materials on record. The petitioner has again approached this Court for his release on bail on the ground that medical examination report did not support the case of the prosecution and the petitioner is in custody for about three years.

5. Needless to say that this Court after scanning the materials available on record and looking into the nature of accusation and gravity of the offence and role played by the petitioner, had refused to release the petitioner on bail. Since then, there is no change in circumstance. Therefore, allowing this petition would tantamount to review of the earlier order passed without any apparent or cogent reason which is not permissible. Hence, the prayer for bail of the petitioner on the aforesaid ground stands rejected.

6. However, the trial Court shall do well to conclude the trial of the aforesaid case as expeditiously as possible, if there is no other legal impediment.

7. Accordingly, the BLAPL stands disposed of being dismissed.

(S. Pujahari)
Judge

MRS

