

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10352 of 2021

Prasant Kishan

.... Petitioner

Mr. R.N. Parija, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. K. Das, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER
27.09.2022

Order No.

07.

1. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.302/34 I.P.C.

2. Heard Mr. R.N. Parija, learned counsel for the Petitioner as well as Mr. K. Das, learned A.S.C. for State-Opposite Party No.1

3. It is submitted on behalf of the Petitioner that he is inside custody since 24.9.2019 and till date the trial has not commenced. It is further submitted that neither the informant nor any other person has seen the Petitioner assaulting the deceased. It is also submitted that the Petitioner has surrendered on 24.8.2022 after availing the interim bail. The certified copy of the order of the learned Sessions Judge, Sundargarh dated 24.8.2022 is kept on record.

4. Upon hearing Mr. K. Das, learned Additional Standing Counsel for the State-Opposite Party and considering the statement of the witness namely Dhanmati Minz (informant), I

am not inclined to release the Petitioner on bail. Accordingly, the prayer for bail is rejected.

5. The BLAPL is dismissed.

6. However, as prayed for, the Petitioner is at liberty to renew his prayer for bail after examination of the informant in course of trial.

(B.P. Routray)
Judge

