

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12780 of 2022

Seleru Simanchala @ Simanchala ***Petitioner***
Seleru

Mr. S.K. Nayak, Advocate

-versus-

State of Orissa ***Opp. Party***
Mr. M. Mishra, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
23.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Narayanpatna P.S. Case No.91 of 2022 corresponding to G.R. No. 420 of 2022 which is now transferred for trial as T.R. Case No. 121 of 2022 pending in the file of learned J.M.F.C., Laxmipur for commission of offences punishable U/S. 395 of IPC, on the allegation of committing dacoity of Rs. 4,20,000/- from the informant, along with co-accused persons.
3. In the course of hearing of the bail application, Mr. S.K. Nayak, learned counsel for the Petitioner submits that FIR has been lodged against co-accused Ramesh and Narrapa, but not against the present Petitioner and no T.I. Parade has been conducted to identify the Petitioner in this case and the materials appearing against the Petitioner are recovery cash of Rs. 1,98,000/- and confession of co-accused before the Police and, therefore, the Petitioner may kindly be granted on bail.

4. On the other hand, Mr. M. Mishra, learned A.S.C., vehemently opposes the bail application of the Petitioner and he inter-alia submits that cash of Rs. 1,98,000/- has been recovered at the instance of the Petitioner and, thereby, his bail application should not be considered favourably.

5. Considering the rival submissions made and taking into consideration the nature and gravity of accusations raised against the Petitioner as well as the gravity of offence and keeping in view that the investigation is going on, this Court is not inclined to grant bail to the Petitioner.

6. Hence, the bail application of the Petitioner stands rejected.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(*G. Satapathy*)
Judge

Priyajit

