IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6533 of 2026

CNR No. ODHC010470752026

Satya Narayan Senapati @ Agadhu .... ***Petitioner***

Mr. H.M. Dhal, Sr. Advocate
Mr. A.K. Raut, Advocate

-versus-

State of Odisha .... ***Opposite Party***

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
16.11.2026

Order No.

03. 1. Heard learned Senior Counsel for the Petitioner and learned counsel for the State.

2. The Petitioner is accused in connection with S.T. Case No.7/73 of 2025 (G.R. Case No.592 of 2018), pending on the file of the learned 3rd Additional District and Sessions Judge, Puri, arising out of **Delanga P.S. Case No.284 of 2018**, for commission of alleged offences under Sections 302/34 of IPC.

3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. case is pending in any other Court.

4. Being aggrieved by the rejection of his application for bail U/s.483 of BNSS by the learned 3rd Additional Sessions Judge, Puri by order dated 03.04.2026 in the aforementioned case respectively, the present BLAPL has been filed.

5. It is submitted by the learned Senior Counsel for the Petitioner that the occurrence allegedly took place in the year 2018 and the Petitioner was taken to custody on 09.09.2024.

6. It is submitted that during the currency of investigation, the Petitioner was subjected to polygraph test and was allowed to leave.

7. It is further submitted that since trial is lingering in as much as only eight witnesses have been examined as against the cited number of thirty one witnesses and also referring to the manner of examination of the witnesses, it is the submission of learned Senior Counsel that further incarceration of Petitioner is punitive.

To fortify his submission that the recovery after such a long period of time cannot be relied upon, he relies on the judgment of the Apex Court in the case of **Maruti Rama Naik vs. State of Maharashtra**, **(2003) 10 SCC 670**.

8. This Court is not persuaded to hold that the judgment cited has any relevance in the given factual matrix of the case at hand and at this stage as well.

It is trite that a judgment cannot be relied upon as an "Euclid's Theorem" and reference in this regard can be made to the judgment of the Apex Court in the case of **Haryana Financial Corporation and another V. Jagdamba Oil Mills and another, (2002) 3 SCC 496**.

9. This Court perused the evidence as well as the materials on record.

10. Considering the same, taking into account the evidence of P.W.5, this Court is **not inclined** to entertain this bail application at this stage.

11. Liberty is granted to the Petitioner to renew his prayer before the learned Court in seisin after examination of other seizure witness cited as C.W.28.

12. Since the Petitioner is in custody since 09.09.2024 and trial has already commenced, the prosecution shall do well to produce the witnesses for examination on the date fixed and learned trial Court shall make an endeavor to conclude the trial at an early date.

13. Accordingly, the BLAPL stands disposed of. U.C.C. as per rules.

(V. NARASINGH)
Judge

Ayesha
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Signed by: AYESHA ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
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