

## Debaraj Behera @ Raj Vs State Of Odisha

**Court:** Orissa High Court

**Date of Decision:** May 23, 2023

**Acts Referred:** Code of Criminal Procedure, 1973 – Section 439  
Indian Penal Code, 1860 – Section 394

**Hon'ble Judges:** Chittaranjan Dash, J

**Bench:** Single Bench

**Advocate:** K. C. Panda, S. Mishra

**Final Decision:** Disposed Of

## Judgement

Chittaranjan Dash, J

1. Heard learned counsel for the Petitioner and the State.

2. This is an application for bail U/s.439 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences U/s. 394

of IPC in connection with G.R Case No.296 of 2023 arising corresponding to Gosaninuagaon P.S Case No. 35 of 2023 pending in the court of learned

S.D.J.M., Berhampur, Dist-Ganjam.

3. Perusal of the FIR reveals that on 07.02.2023 while the Informant was going to market at Reliance Mart Point, Gosaninuagaon, some unknown

culprit committed theft of his mobile phone.

4. The present Petitioner is not only having criminal antecedent but also has been identified during the T.I Parade. Hence, release of the present

Petitioner at this stage would be abortive to the prosecution case and with his background his presence may not be secured for the trial. In that view

of the matter, this Court is not inclined to admit the Petitioner to bail at this stage. However, he may renew his application after examination of the

material witnesses. The BLAPL is disposed of accordingly.

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