

(2024) 05 OHC CK 0107

Orissa High Court

Case No: Bail Application No. 2666 Of 2024

Akura Pradhan

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision: May 7, 2024

Acts Referred:

- Code of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 395, 457
- Arms Act, 1959 - Section 25(6)

Hon'ble Judges: Savitri Ratho, J

Bench: Single Bench

Advocate: Amitav Tripathy, S.S. Mohapatra

Final Decision: Dismissed

Judgement

Savitri Ratho, J

1.This application under Section 439 of Cr.P.C. has been filed for grant of bail to the petitioner in connection with Tarasingi P.S. Case No. 223 of

2023 corresponding to S.T. Case No. 238 of 2023 in the Court of the learned Additional District and Sessions Judge, Bhanjanagar, Ganjam where

chargesheet dated 03.11.2023 has been submitted for commission of offences punishable under Sections 457, 395 of IPC read with Section 25(6) of

Arms Act against the petitioner and co-accused one Manu @ Jitendra Dakua, Kuni Raya and A. Ajit Kumar Achary keeping investigation open for

arrest of the other accused persons.

2. This case has been listed before me as BLAPL No. 12267 of 2023 filed by co-accused A. Ajit Kumar Achary had been disposed of by me on

06.12.2023. Thereafter the prayer for bail of the petitioner has been rejected on 02.02.2024 by the learned Additional Sessions Judge, Bhanjanagar in S.T. Case No. 238 of 2023.

3. The prayer for bail of the petitioner has been rejected on 23.12.2023 by the learned Additional Sessions Judge, Bhanjanagar in S.T. Case No. 238 of 2023.

4. Mr. Amitav Tripathy, learned counsel for the petitioner submits that in the meanwhile the case has been transferred to the court of the learned Assistant Sessions Judge, Bhanjanagar for trial and the petitioner may be permitted to withdraw the bail application with liberty to move the learned trial court for bail after examination of the material witnesses.

5. Considering the said prayer, the BLAPL is dismissed as withdrawn granting the aforesaid liberty.

6. BLAPL No. 1584 of 2024 filed by co-accused Manu @ Jitendra Dakua is disposed of today with similar observation.

7. UrgentÂ certifiedÂ Â copyÂ Â ofÂ thisÂ orderÂ beÂ grantedÂ onÂ Â proper application.

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