

(2024) 07 OHC CK 0094

Orissa High Court

Case No: Bail Application No. 4069 Of 2024

Deepak Kumar Behera

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision: July 26, 2024

Acts Referred:

- Code of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 34, 302

Hon'ble Judges: V. Narasingh, J

Bench: Single Bench

Advocate: B.B. Routray, P.K. Maharaj

Final Decision: Disposed Of

Judgement

V. Narasingh, J

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in connection with C.T. (Session) Case No.240 of 2022, pending on the file of learned Addl. Sessions Judge, Angul arising out of Nalco Township P.S. Case No.100 of 2022, for commission of alleged offences under Section 302/307 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.439 Cr.P.C. by the learned Addl. Sessions Judge, Angul by order dated 02.04.2024 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel that the Petitioner is in custody since 3.5.2022 and on the ground of procrastination of trial, the Petitioner seeks release.

6. Learned counsel for the State opposes the prayer.

7. This Court perused the deposition of the witnesses including that of P.Ws.3 and 4, which are on record

8. On consideration of the evidence on record, this Court is not inclined to entertain this bail application at this stage.

9. Since it is stated that the Petitioner is in custody since 3.5.2022 and the trial is under way and 16 witnesses have been examined, learned trial court is called upon to make an endeavour to conclude the trial as expeditiously as possible.

10. Registry is requested to communicate this order.

11. It is needless to state that the observations made here are only for the purpose of bail application and ought not to be construed as expressing any opinion regarding complicity of the Petitioner which has to be adjudicated in the impending trial on its own merit.

12. The BLAPL is accordingly disposed of.

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