

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1562 of 2021

1. Amit Patra **Petitioners**
2. Rajesh Kindo

Mr. P.K. Nanda, Advocate

-versus-

State of Odisha **Opp. Parties**

Mr. S.S. Pradhan,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

24.08.2021

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical Mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 439 of Cr.P.C. for grant of bail to the petitioners in connection with Lephripada P.S. Case No.140 of 2020 corresponding to S.T. Case No.05/03 of 2021 pending before the learned Chief Judicial Magistrate, Sundargarh for alleged commission of offences punishable under section 395 of the Indian Penal Code read with section 25 of the Arms Act.

The petitioners moved an application for bail before the Court of learned Chief Judicial Magistrate, Sundargarh which was rejected on 01.02.2021.

Learned counsel for the petitioners submitted

that the petitioners are in judicial custody since 15.09.2020 and they have been charge sheeted under section 395 of the Indian Penal Code read with Section 25 of the Arms Act. He further submitted that in view of the materials available on record, the bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail and submitted that the petitioners have been identified in the test identification parade.

Considering the submissions made by the learned counsel for the respective parties, the nature and the gravity of accusation and since the petitioners have been identified in the test identification parade, while not inclining to release the petitioners on bail, I direct the learned trial Court to expedite the trial and take steps for examination of identifying witnesses at the first instance. The petitioners are at liberty to renew their prayer for bail after examination of the identifying witnesses in the trial Court.

Accordingly, the BLAPL stands disposed of.

A copy of this order be communicated for compliance to the concerned Court.

(S.K. Sahoo)
Judge

Jagabandhu