

(2024) 03 OHC CK 0088
In the Orissa High Court
Case No : Bail Application No. 482 Of 2024

N. Rabin @ Rabin

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 13-03-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 239, 439
Indian Penal Code, 1860 — Section 34, 120B, 186, 379

Citation : (2024) 03 OHC CK 0088

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : Arijeet Mishra, S.S. Mohapatra

Final Decision : Disposed Of

Judgement

Savitri Ratho, J

1. This is the second application of the petitioner under Section 439 of Cr.P.C. for grant of bail to the petitioner in connection with Sahadevkhunta P.S. Case No. 330 of 2023 corresponding to C.T. Case No. 665 of 2023 pending in the court of the learned S.D.J.M., Balasore, where chargesheet dated 04.11.2023 has been filed under Sections 379, 186, 120 (B) and 34 of IPC against the present petitioner, co-accused Mohan Pradhan, co-accused J. Chandu and Akshay Kumar Panda keeping further investigation open.

2. The petitioner is in custody since 14.09.2023. His prayer for bail in BLAPL No.11479 of 2023 had been rejected as he had a number of criminal antecedents while that of co-accused J. Chandu had been allowed.

3. Report dated 06.03.2024 of the learned S.D.J.M., Balasore reveals that final chargesheet has been filed against the present petitioner, co-accused J. Chandu, Mohan Pradhan, A. Chanti, A. Ranjit Rao, A. Rabi Rao and Akshay Kumar Panda and A. Chanti, A. Ranjit Rao and A. Rabi Rao have been shown as absconders. On 19.02.2024, the petition under Section 239 of the Cr.P.C. filed by co-accused

Akshay Kumar Panda has been allowed and he has been discharged and the case has been adjourned to 04.03.2024 for production of the absconding accused persons but on 04.03.2024 though the present petitioner was produced before the Court, no steps were taken on behalf accused J. Chandu and Mohan Pradhan for which the case has been split up against them and warrant of arrest has been issued against them and the original C.T. Case No. 665 of 2023 is proceeding only against the present petitioner. Charge has been framed under Section 379/34 of the IPC against the petitioner and the case is posted to 19.03.2024 for trial and summons have been issued to the prosecution witnesses.

4. Registry is requested to call for a report from the learned trial court regarding the developments in the case up to 22.03.2024.

5. List this matter on 27.03.2024..

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