
(2023) 04 OHC CK 0023
In the Orissa High Court
Case No : Bail Application No. 12760 Of 2022

Rabi Rao	Vs	APPELLANT
State Of Odisha		RESPONDENT

Date of Decision : 03-04-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 307, 307, 353

Citation : (2023) 04 OHC CK 0023

Hon'ble Judges : V. Narasingh, J

Bench : Single Bench

Advocate : D. Routray, K.K. Gaya

Final Decision : Dismissed

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. Case No.193 of 2019, pending before the learned C.J.M.-cum-Asst. Sessions Judge, Khurda Circuit, At-Bhubaneswar arising out of Khandagiri P.S. Case No.408 of 2019, for alleged commission of offences under Sections 353/307 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned C.J.M.-cum-Asst. Sessions Judge, Khurda Circuit, At-Bhubaneswar, by order dated 02.11.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is the allegation against the petitioner that he is a history sheeter inasmuch as 17 cases are pending against him including one under Section 302 of IPC.
5. It is the case of the prosecution that when the informant and his team tried to arrest the petitioner, he tried to flee away in an Innova car and fired at the police personnel. Thereafter, in the counter fire, the petitioner was injured. A live crude

bomb, one dagger and one crowbar which was kept inside the Innova car were seized.

6. It is the submission of the learned counsel for the petitioner that since charge sheet has been filed in the year 2019, the petitioner may be released on bail.

7. Learned counsel for the State opposes the prayer for bail.

8. Considering the nature of allegation, conduct of the petitioner as noted and the seizure, this Court is not inclined to entertain this bail application at this stage.

9. Learned Court in seisin is called upon to expedite the trial.

10. Accordingly, the BLAPL stands rejected.

.....