
(2024) 02 OHC CK 0138

In the Orissa High Court

Case No : Bail Application No. 11386 Of 2023

Sarasa Rout And Another Vs State Of Odisha ?

Date of Decision : 15-02-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 34, 406, 420

Citation : (2024) 02 OHC CK 0138

Hon'ble Judges : V. Narasingh, J

Bench : Single Bench

Advocate : M.K. Mohapatro, A. Pradhan

Final Decision : Disposed Of

Judgement

V. Narasingh, J

1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. The Petitioners are accused in connection with C.T. Case No.185 of 2023 pending on the file of learned J.M.F.C., Jaipatna, arising out of Jaipatna P.S. No.142 of 2023 for commission of offence alleged under Sections 420/406/34 of IPC.
3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail applications of the Petitioners relating to the aforementioned P.S. case is pending in any other Court.
4. This is the second journey of the Petitioners to this Court, inasmuch as, it is stated in the certificate that BLAPL No.9805 of 2023 filed by the Petitioners was disposed of as withdrawn by order dated 13.09.2023.
5. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Asst. Sessions Judge, Jaipatna by order dated 22.09.2023 in the aforementioned case, the present BLAPL has been filed.
6. It is submitted by the learned counsel that the Petitioners are in custody since 08.07.2023 on the allegation that they along with co-accused have duped the

gullible villagers to the tune of Rs.28,10,000/- (Rupees Twenty-Eight Lakhs Ten Thousand) on the plea of squaring off loans on their behalf.

7. It is on record that the victims belong to the lowest strata of the society.

8. It is the submission of the learned counsel for the Petitioners that since charge sheet has already been filed on 02.09.2023 and the Petitioners are the ladies and most of the accusation is based on documentary evidence, considering the period in custody and punishment prescribed, their further incarceration in custody is not warranted.

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

10. Keeping in view that the victims are also ladies who belongs to the lowest strata of the society, who have been robbed up their life's savings, this Court is not inclined to entertain this bail application at this stage.

11. Liberty is granted to the Petitioners to renew their prayer before the learned Court in seisin at an appropriate stage.

12. Accordingly, the BLAPL stands disposed of.

13. Learned Court in seisin is requested to expedite the trial.

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