

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 14 of 2024

Tapan Garada

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. T.K. Praharaj, SC

BLAPL No. 2 of 2024

Bhaktanath Harijan @ Toni

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. T.K. Praharaj, SC

CORAM: JUSTICE V. NARASINGH

ORDER

28.03.2024

Order No.

06.

1. Since both the BLAPLs relate to the same P.S. (Nabarangpur P.S. Case No.386 of 2022), on the consent of the learned counsel for the Petitioners as well as State, they are taken up together.
2. Heard learned counsel for the Petitioners and learned counsel for the State.
3. The Petitioners are accused in connection with C.T. Case No.78 of 2022 (T), pending on the file of the learned Addl. Sessions Judge-cum-Special Judge, Nabarangpur, arising out of Nabarangpur P.S. Case No.386 of 2022 for alleged commission of offences under Sections 302/34 of IPC.

4. Learned counsel, on instruction, submits that except the present BLAPLs, no other bail application of the Petitioners relating to the aforementioned P.S. case is pending in any other Court.

5. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional District and Sessions Judge, Nabarangpur by orders dated 20.10.2023 in the aforementioned cases, the present BLAPLs have been filed.

6. Mr. T.K. Paraharaj, learned Standing Counsel for the State brings to the notice of this Court that in the meanwhile C.E. Report and M.Os. have been produced before the learned Court in seisin.

7. Taking note of the same and the role ascribed to the Petitioners, this Court is **not inclined** to entertain these bail applications at this stage.

8. Before parting with the case, this Court reiterates its concern relating to the inordinate delay in submission of C.E. Report and production of M.Os. for which the trials are stalled and the accused are languishing in judicial custody.

9. Since it is stated that the Petitioners are in custody since 01.08.2022, learned Court in seisin is requested to expedite the trial.

10. Liberty is granted to the Petitioners to renew their prayer before the learned Court in seisin after examination of material witnesses which shall be considered on its own merit.

11. Accordingly, both the BLAPLs stands disposed of.

(V. NARASINGH)
Judge

Santoshi

Signature Not Verified

Digitally Signed
Signed by: SANTOSHI LENKA
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 01-Apr-2024 13:51:36

