

CRLA No.3 of 2012

09. 21.12.2018

**CRLA No.3 of 2012
and
Misc. Case No.1231 of 2014**

Heard the learned counsel for the appellant/petitioner and the learned Additional Government Advocate on the prayer for bail made by the appellant/ petitioner- Wool @ Kabuli @ Adityamaya Harichandan in this Misc. Case.

In this case, the appellant/ petitioner has been convicted and sentenced to undergo imprisonment for life and to pay a fine of Rs.1,000/-, in default of payment of fine, to undergo R.I. for three months of the charge under Section 396 of the I.P.C. and also to undergo imprisonment for life and to pay a fine of Rs.500/- in default to undergo R.I. for one month of the charge under Sections 3 and 4 of the Explosive Substance Act, so also to undergo R.I. for three years of the charge under Sections 25 and 27 of the Arms Act vide the judgment of conviction and order of sentence dated 15.12.2011 passed by the learned Ad hoc Addition Sessions Judge, FTC, Khurda in S.T. No.38/45-2010/09. In the said judgment it was also directed that the aforesaid sentences are to run concurrently and the U.T.P. period be set off.

In view of the fact that the appellant/ petitioner has been convicted of the charge under Section 396 of the I.P.C. and three persons have died in course of the dacoity, we are not inclined to grant bail to the appellant/ petitioner.

Hence, the prayer for bail of the appellant/ petitioner is rejected.

The Misc. Case is dismissed.

However, if the paper books are not prepared, the same be prepared and the CRLA be listed in the 2nd week of January, 2019 for final disposal.

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S. K. Mishra, J.

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Dr. A.K. Mishra, J.