



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.12473 of 2022

Sibaprasad Jena @ Shiva Prasad ... Petitioner
Jena

Mr. M. Kanungo, Sr. Advocate, along with
Mr. D. Acharya, Advocate

-versus-

State of Odisha ... Opposite Party

Mr. M.K. Mohanty, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
02.05.2025

Order No.
12.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application U/S.439 of CrPC by the Petitioner for grant of bail in connection with Chandipur PS Case No.56 of 2022 arising out of CT Case No.529 of 2022, pending in the Court of learned SDJM, Balasore, for commission of offences punishable U/S.302/201/34 of IPC, on the allegation of committing murder of the deceased Satyabrat Das along with co-accused persons in furtherance of their common intention.
3. Heard, Mr. Milan Kumar Kanungo, learned Senior Counsel, who is being assisted by Mr. Dipankar Acharya, learned counsel for the petitioner and Mr. M.K. Mohanty, learned Additional Public Prosecutor in the matter and perused the record including the deposition of witnesses as provided by Mr. Kanungo.



4. After having considered the rival submissions and taking into consideration the nature and gravity of the offence as alleged against the Petitioner vis-à-vis the accusation sought to be brought against him and regard being had to the specific allegation against the Petitioner and the mode, manner and the circumstances under which the deceased was killed and on going through the evidence of witnesses, more particularly the evidence of PW.3, this Court does not consider it proper to grant bail to the Petitioner at this stage, when other material witnesses are yet to be examined.

Hence, the bail application of the petitioner stands rejected. Accordingly, the BLAPL stands disposed of.

5. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Jayakrushna

Signature Not Verified

Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 03-May-2025 16:01:31

