

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.6 of 2022

Fakir Sahu

....

Appellant

*Mr. Dharanidhar Nayak, Senior
Advocate*

-versus-

***State of Odisha and
another***

....

Respondents

*Mr. Arupananda Das,
Addl. Government Advocate*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
29.08.2022**

Order No.

15. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Learned counsel for the State submitted that notice on the informant is sufficient.

None appears on behalf of the informant.

Heard learned counsel for the appellant and learned counsel for the State.

This is an appeal under section 14-A(2) of S.C. & S.T. (PoA) Act, 1989 in connection with C.T. Case No.27 of 2017 arising out of Bhawanipatna P.S. Case No.163 of 2017 pending in the Court of learned Sessions Judge -cum- Special Judge, Kalahandi, Bhawanipatna for offences punishable under sections

294,341,323,324,326,307,506,34 of the Indian Penal Code read with sections 3(1)(r)(s)/3(2) of the S.C. & S.T. (PoA) Act.

Learned counsel for the appellant submitted that the appellant was taken into judicial custody in connection with this case on 20.07.2017 and he was granted interim bail for a period of three months as per the order dated 05.08.2021 in CRLA No.679 of 2019 mainly on the ground of delayed disposal of the trial. It is further submitted that after availing the interim bail period, the appellant surrendered at right time and there is no substantial progress of the trial in the meantime and therefore, the appellant may be granted interim bail for some further period.

As per order dated 08.08.2022, the learned trial Court has furnished the report dated 16.08.2022 wherein it is indicated that after availing the interim bail period, the appellant surrendered before the learned trial Court at right time and in the meantime, out of twenty five charge sheet witnesses, eleven witnesses have been examined so far.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the appellant, slow progress of the trial and conduct of the petitioner in complying with earlier order of interim bail and taking into account the period of detention of the appellant in

judicial custody, I am inclined to release the appellant on interim bail for a period of three months from the date of release and the appellant shall surrender before the learned trial Court immediately on expiry of the three months.

Let the appellant be released on interim bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned Court may deem just and proper with further conditions that while on interim bail, the appellant shall not try to tamper with the prosecution evidence and shall appear before the learned trial Court on each date on which the date would be fixed for trial during the period of interim bail.

Violation of any of the conditions shall entail cancellation of bail.

The CRLA is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge