

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.58 of 2020

Santosh Ku. Dash @ Santosh Dash *Petitioner*
Mr. G.K. Nayak, Advocate
-versus-
State of Odisha *Opposite Party*
Mr. M.K. Mohanty, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
14.09.2022

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual / Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. This is an application for bail filed by the Petitioner under Section 439, Cr.P.C. in connection with Sorada P.S. Case No.9 of 2014 corresponding to S.T. Case No.38 of 2015 pending in the Court of learned Addl. Sessions Judge, Bhanjanagar, involving offence punishable under Section 302/34, I.P.C.
4. Learned counsel for the Petitioner submits that THE Petitioner is in custody since 13.1.2014. He further submits that one of the co-accused persons namely Prasanta Das, who had caught hold of the deceased, had already been released on bail by this Court vide order dated 31.07.2015 passed in BLAPL No.3860 of 2015. He further submits that, out of total 29 prosecution witnesses only 5 witnesses have been examined so far by the trial court.

5. Considering the fact that this is a case of the year 2014, this Court is hereby expressing its displeasure on the slackness of the trial court in concluding the trial. However, considering the factual background and the surrounding circumstances, the trial court is directed to expedite the trial in the aforesaid S.T. Case as expeditiously as possible and conclude the trial within four months hence. If the trial is not concluded within the aforesaid stipulated period, then it is open for the Petitioner to move for bail afresh before the learned trial court, and in that event the bail application of the petitioner shall be considered on its own merit and shall be disposed of expeditiously in accordance with law.

6. The BLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

S.K.Parida