

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.696 of 2022

***Jitendra Kumar Pradhan* *Petitioner*
*@ Jitu***

Mr. G. Mishra, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. D.K. Pani
Addl. Standing Counsel

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

**ORDER
31.03.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical Mode).

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

This is an application under section 439 of Cr.P.C. for grant of bail to the petitioner in connection with Nayapalli P.S. Case No.136 of 2020 corresponding to C.T. Case No.140 of 2020 pending in the Court of learned 3rd Addl. Sessions Judge, Bhubaneswar for alleged commission of offences under sections 417, 493, 323, 506 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 12.03.2020 and when the petitioner approached this

Court last time for bail in BLAPL No.1994 of 2021, as per order dated 19.04.2021, while rejecting the bail application, the learned trial Court was directed to expedite the framing of the charge and take steps for examination of the material witnesses. It is further submitted that in the meantime, trial has commenced and two witnesses have been examined including the informant as P.W.2 who has not supported the prosecution case and therefore, the bail application may be favourably reconsidered.

Learned counsel for the State opposed the prayer for bail and placed the evidence of two witnesses.

Considering the submissions of the learned counsel for the respective parties, the change in the circumstances after rejection of the earlier bail application and further taking into account the period of detention of the petitioner in judicial custody and progress of the trial so far, I am inclined to reconsider the prayer for bail and direct the petitioner to be released on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing 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 such other conditions as the learned Court may deem just and proper.

The BLAPL is accordingly disposed of.

Urgent certified copy of this order be issued as per Rules.

(S.K. Sahoo)
Judge

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