

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.53 of 2021

Manu Pataguru* *Appellant

Mr.U.C. Mishra, Advocate

-versus-

State of Odisha & another* *Respondents

Mr. Rajesh Tripathy
Addl. Standing Counsel

Ms. Deepali Mohapatra,
Advocate (for the informant)

CORAM:
JUSTICE S.K. SAHOO

ORDER
17.10.2022

Order No.

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

Heard learned counsel for the appellant, learned counsel for the State as well as learned counsel for the informant.

This is an appeal under section 14-A of S.C. & S.T. (PoA) Act, 1989 in connection with C.T. Case No.64 of 2018 arising out of Kotagarh P.S. Case No.44 of 2018 pending in the Court of learned Addl. Sessions Judge -cum- Special Judge, Phulbani for offences punishable under sections 363, 376(3) and 506 of the Indian Penal Code read with sections 3(1)(r)/3(2)(v)(va) of the S.C. &

S.T. (PoA) Act.

The appellant moved an application for bail before the Court of learned Addl. Sessions Judge -cum- Special Judge, Phulbani, which was rejected on 18.11.2020.

Learned counsel for the appellant submitted that the appellant is in judicial custody since 25.10.2018 and he has been charge sheeted under sections 363, 376(3) and 506 of the Indian Penal Code read with sections 3(1)(r)/3(2)(v)(va) of the S.C. & S.T. (PoA) Act. Learned counsel further submitted that in view of the period of detention of the petitioner in judicial custody, the bail application may be favourably considered.

As per order dated 10.10.2022, learned trial Court has submitted a fresh status report from which it appears that only the evidence of the I.O. is awaited to be recorded.

Considering the submissions made by the learned counsel for the respective parties and in view of the available materials on record, while not inclining to release the petitioner on bail on merit, I am inclined to release the petitioner on interim bail for a period of two months and the petitioner shall surrender before the learned trial Court on expiry of the said interim period.

Let the petitioner be released on interim bail for the aforesaid period to the satisfaction of the learned trial Court in connection with the aforesaid case on furnishing bail bond of Rs.50,000.00 (rupees fifty thousand) with

two solvent local sureties each for the like amount to his satisfaction with further terms and conditions as the learned Court may deem just and proper including the condition that he shall not indulge in any criminal activities and shall attend the Court on each date to which the case would be posted for trial during the interim bail period.

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

CRLA stands disposed of.

Issue urgent certified copy as per Rules.



PKSahoo