

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 684 of 2021

Amarsingh Karuan* *Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha* *Opp. Party

*Smt. Susamarani Sahoo,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

06.05.2022

11. 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 for bail under section 439 of Cr.P.C. in connection with Belpada P.S. Case No.146 of 2019 corresponding to Sessions Case No.06 of 2020 pending in the Court of learned Additional Sessions Judge, Patnagarh for alleged commission of offences under sections 341/302/34 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of learned Additional Sessions Judge, Patnagarh, which was rejected on 13.01.2021.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 08.09.2019 and the earlier bail application of the petitioner in BLAPL No.2091 of 2020 was rejected as per order dated 23.11.2020. He further submitted that though the charge was framed on 14.03.2022 but not a single witness has been examined so far. In support of such contention, he has filed the order sheet of the learned trial Court with a memo, which is taken on record. He further submitted that till date, no progress has been made and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the progress of trial so far, 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 three months from the date of release. The petitioner shall surrender before the learned trial Court immediately on expiry of the three months period.

For the above period, let the petitioner be released on interim 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 further terms and conditions as the learned Court may deem just and proper and with further conditions that while on interim bail, the petitioner shall not try to come in contact with the prosecution witnesses or tamper with the evidence, he shall not indulge in any criminal activities and he shall appear before the learned trial Court on each date to which the case would be posted for trial.

Violation of any terms and conditions shall entail cancellation of interim bail.

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.

(**S.K. Sahoo**)
Judge

RKM