

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.696 of 2021**

***Garuda Behera***

....

***Petitioner***

***Mr.B.S.Dasparida, Advocate***

***-versus-***

***State of Odisha***

....

***Opposite Party***

***Mr. S.Mishra, A.S.C.***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**29.09.2022**

**Order No.**

09.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner.
3. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Soro P.S.Case No.225 of 2020, corresponding to C.T.No.513 of 2020, pending in the Court of the learned J.M.F.C., Soro for alleged commission of offence under Section 302/34 of the Indian Penal Code.
4. Learned counsel for the Petitioner does not want to press this bail application and wants to withdraw the same at this juncture and prays that the trial court be directed to expedite the trial and the same be concluded within a stipulated period of time.
5. It submitted by the learned counsel for the Petitioner that out of 27 prosecution witnesses two witnesses have been examined so far. Therefore, the Petitioner seeks liberty to move a fresh application if the trial is not concluded within a stipulated period of time.
6. Considering the aforesaid submissions, while disposing of the

bail application of the Petitioner as withdrawn, this Court directs the trial court to expedite the trial and to make endeavour to conclude the trial within a period of six months. In the event trial is not concluded within the aforesaid period, it is open for the Petitioner to move a fresh application taking all the grounds available with him and the learned trial court is directed to consider the same without being influence by any other factors.

7. Issue urgent certified copy of this order.

RKS

