

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.767 OF 2022

Biyas @ Biyes Lakhua

....

Petitioner

Mr. B.S. Dasparida, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.D.R. Parida, ASC

CORAM:

MR. JUSTICE D.DASH

ORDER

02.05.2022

Order No.

01. 1. The matter is taken up through hybrid arrangement (virtual/physical) mode.
2. This is the Successive journey of the Petitioner, who is in custody in connection with Bisra P.S. Case No.26 of 2018 corresponding to S.T. Case No.03/02 of 2020 arising out of G.R. Case No. 164 of 2018, pending on the file of learned 2nd Addl. Sessions Judge, Rourkela running for the alleged commission of offence under section-302/120-B/34 of the IPC read with section-25/27 of the Arms Act, in filing this application under section 439, Cr.P.C., for his release on bail in the above mentioned case.
3. Heard learned Counsel for the Petitioner and learned Counsel for the State.
4. Taking into account the submissions made; further keeping in view the materials on records as well as the deposition of the witnesses so far examined in the trial and all such developments which have taken in the meantime with other surrounding circumstances including the period of

detention of the Petitioner in custody; while being inclined to reconsider the prayer for grant of bail to the Petitioner; it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions as deemed just and proper by the Court in seisin of the case with further conditions that:-

- (1) Petitioner will appear in person before the Court in seisin of the case on each and every date of posting of the case till conclusion of the trial;
- (2) will appear before the IIC, Bisra P.S. on the 1st Monday of every month till conclusion of the trial;
- (3) will not leave the jurisdiction of the Court in seisin of the case; and
- (4) will not indulge himself in any criminal activity.

Violation of any of the above condition(s) shall entail cancellation of bail.

5. The BLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan