

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 823 of 2022

Papuni @ Bapuni Das* *Petitioner

Mr.D.K. Sahoo, Advocate

-versus-

State of Odisha* *Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

30.06.2022

Order No.

03. 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. in connection with S.T. Case No.92 of 2021 arising out of Marsaghai P.S. Case No.237 of 2020 pending in the Court of learned Addl. Sessions Judge, Kendrapara for offences punishable under sections 457/395/307 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 13.10.2020 and his first bail application before this Court in BLAPL No.8745 of 2020 was disposed of as

not pressed as per order dated 03.03.2021. The second bail application of the petitioner in BLAPL No.3357 of 2021 was also disposed of as per order dated 16.07.2021 giving liberty to the petitioner to renew the prayer for bail after examination of the identifying witnesses and till date no charge has been framed.

Status report was called for as per order dated 31.03.2022 and the learned trial Court has furnished the same vide letter dated 05.04.2022 from which it indicates that the case is pending for production of the material objects and for framing of charge.

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 fact that till date, charge has not yet been framed, while not inclining to release the petitioner on bail on merit, I direct that the petitioner be released on interim bail for a period of three months from the date of release and the petitioner shall surrender before the learned trial Court immediately on expiry of three months period.

For the above period, 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 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 tamper with the prosecution evidence and shall appear before the learned trial Court on each date on which the date would be fixed for trial during the period of interim bail.

Violation of any conditions shall entail cancellation of bail.

Accordingly, the BLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

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