

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.1503 OF 2022

Siba Choudhury & Another

.... ***Petitioners***
Mr. S.R. Mulia, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr.S.K. Nayak, AGA.

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
13.09.2022**

Order No.

- 04.
1. This matter is taken up by through hybrid arrangement (virtual/physical) mode.
 2. This is the second journey of the Petitioners, who are in custody in connection with Nirakarpur P.S. Case No.110 of 2021 corresponding to G.R. Case No.255 of 2021 pending on the file of learned J.M.F.C., Tangi, running for the alleged commission of offence under section-395 of the IPC, in filing this application under section 439 of the Cr.P.C., for reconsideration of the prayer for grant of bail to the Petitioners in the above mentioned case.
 3. Learned Counsel for the Petitioner submits that the brother of Petitioner having died on 06.09.2022, the presence of this Petitioner at home is necessary for joining in the “Sudhi Ceremony” and helping other family members in due performance of the same. In this connection, he has invited the attention of the Court to the document issued by the Doctor of VIMSAR, Burla indicating the death of the brother of the

Petitioner. In view of the above, he urges for grant of interim bail to this Petitioner.

4. Learned counsel for the State does not dispute the factum of death of the brother of the Petitioner as reflected in the medical document. He, however, opposes the move in view of the nature of accusation of in the above mentioned case.

5. Considering the submissions made and on going through the averments taken in the petition as also the document annexed thereto; it is directed that the Petitioner be released on interim bail in the aforesaid case till 6th October, 2022 on such terms and conditions as the learned Court in seisin of the case deems just and proper with further conditions that he will positively surrender on before the Court in seisin of the case on 7th October, 2022; and shall appear in person before the Court in seisin of the case on the date fixed during the interim bail period.

6. The I.A. is accordingly, disposed of.

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

ORDER

12.09.2022

BLAPL NO.1696 OF 2020

Order No.

08. 1. The matter be listed in the week commencing 17th October, 2020.

Issue urgent certified copy as per rules.

Narayan