

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1831 of 2022

Pradeep Jena

....

Petitioner

Mr.A. Pattanaik, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

15.07.2022

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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.101 of 2021 arising out of Baghamari P.S. Case No.55 of 2020 pending in the Court of learned 1st Addl. Sessions Judge, Khurda for offences punishable under sections 458/395/212 of the Indian Penal Code read with section 25 of the Arms Act, 1959 and sections 3 and 4 of the Explosive Substances Act.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since

19.08.2020 and when the petitioner approached this Court last time for bail in BLAPL No.258 of 2021, the same was rejected as per the order dated 22.04.2021 and liberty was granted to the petitioner to renew the prayer for bail after examination of the identifying witnesses in the trial Court.

Status report was called for as per order dated 30.06.2022 and the learned trial Court has furnished the same vide letter dated 08.07.2022 from which it indicates that till date no charge has been framed.

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

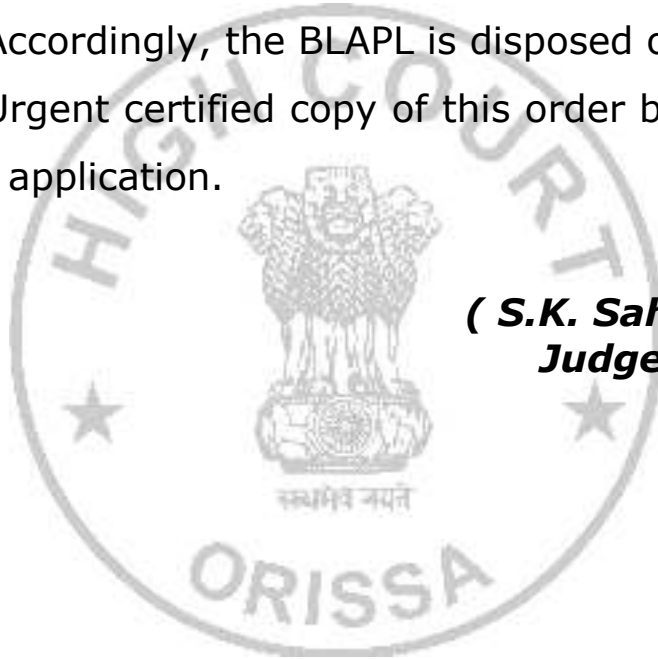
matter with further terms and conditions as the learned Court may deem just and proper and with further conditions that while on interim bail, the petitioner shall not try to tamper with the prosecution evidence and shall appear before the learned trial Court on each date on which the date would be fixed 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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