

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2005 of 2022

Chitraketu Majhi @ Chitra Petitioner

Mr. M.K. Mohapatro, Advocate

-versus-

State of Odisha Opp. Party

*Mr. D.K. Pani,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
20.05.2022**

Order No.

02. 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 for bail under section 439 of Cr.P.C. in connection with Junagarh P.S. Case No.197 of 2018 corresponding to C.T. Case No.52 of 2018 (Sessions) pending in the Court of learned Additional Sessions Judge, Dharamgarh for alleged commission of offences under sections 394/397 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of learned Additional Sessions Judge, Dharamgarh, which was rejected on 19.02.2022.

Learned counsel for the petitioner submitted that the case arises out of a complaint petition and the petitioner was taken on remand in this case on 09.08.2018 and he was directed to be released on bail by this Court in BLAPL No.5046 of 2019 as per order dated 11.09.2019. It is further submitted that the petitioner could not remain present on 14.02.2020 before the learned trial Court and no step could be taken on his behalf through his counsel for which N.B.W.(A) was issued against him and the petitioner voluntarily surrendered before the learned trial Court on 20.03.2020 and since then he is in judicial custody. He further submitted that the petitioner is ready and willing to cooperate with the learned trial Court for early disposal of the case and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Perused the status report dated 11.05.2022 submitted by the learned trial Court.

Considering the submissions made by the learned counsel for the respective parties, the fact that the petitioner was on bail granted by this Court and he is in judicial custody for more than two years after he voluntarily surrendered in the trial Court, I am inclined to release the petitioner on bail.

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 conditions as the learned Court may deem just and proper subject to condition that the petitioner shall appear before the learned trial Court on each date when the case would be posted for trial.

Violation of any terms and conditions shall entail cancellation of bail.

The BLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM