

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1676 OF 2021

Sankheswar Majhi @ Shankheswar

***..... Petitioner
Mr. H.S. Mishra, Advocate***

-versus-

State of Odisha

***..... Opposite Party
Mr. K.K. Gaya, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
05.05.2022**

Order No.

03.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is accused in connection with Sessions Case No. 42 of 2014 corresponding to Balangir Sadar P.S. Case No. 141 of 2013, pending on the file of the learned 1st Additional Sessions Judge, Balangir for the alleged commission of offence under Sections-147/148/302/506/120-B/149 of the IPC.
3. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned 1st Additional Sessions Judge, Balangir by Order dtd. 25.01.2021 in Sessions Case No. 42 of 2014, the present BLAPL has been filed.
4. Heard Mr. H. S. Mishra, learned counsel for the petitioner and Mr.K K. Gaya, learned Additional Standing Counsel for the State.

5. In terms of the direction of this Court dtd. 23.03.2021, the report of the Superintendent of District Jail, Bolangir is submitted by the learned counsel for the State.

6. On perusal of the said report, it is seen that the petitioner is suffering from the following disease,

1. Transient Ischemic attack of brain with unconsciousness and fainty at times.
2. General weakness with Armeria and hypoprotinaemia.
3. Anorexia, Ascetic and pleural effusion of lungs.
4. Bilateral Pedal Oedine and
5. Prostate enlargement with urine difficulty.

And it has been advised that petitioner needs care of relatives and old age sympathy on Court.

7. The Medical Report be kept on record.

8. Taking into account the medical condition of the petitioner and the advance age, on humanitarian grounds, this Court directs, the petitioner shall be released on bail on such terms to be fixed by the learned Court in seisin over the matter, so as to ensure his presence in Court during trial

9. The Bail Application thus stands disposed of.

10. Urgent certified copy of this order be granted as per rule.