

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2262 of 2022

Jasa @ Dasaratha @ Jasarath Singh ***Petitioner***
Yadav

Mr.B.C.Ghadei, Advocate

-versus-

State of Odisha ***Opp.Party***
Ms.Samapika Mishra, ASC

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
12.5.2022

Order No.

3.

1. Heard Mr.Ghadei, learned counsel for the Petitioner and Ms.Mishra, learned Additional Standing Counsel for the State.

2. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner in connection with S.T.Case No.9/176 of 2021/2019 arising out of G.R.Case No.2097 of 2018 corresponding to CID P.S.Case No.22 of 2018 pending in the court of the learned 3rd Additional Sessions Judge, Puri for alleged commission of offence under Section 362/366/370/120-B of the I.P.C.

3. It is submitted that though the Petitioner is inside custody since 13.3.2019, but till date trial has not commenced. It is further submitted that other co-accused persons have been released on bail by this Court in the meantime.

4. A report was called for from the learned Additional Sessions Judge, Puri with regard to the stage of trial and the report is submitted confirming the submission that though charge has been framed from 18.9.2021 but no witness could be examined till date.

5. Upon hearing both parties and considering the circumstances of the case as well as the period of detention of the Petitioner inside custody and the fact of non-commencement of the trial till date, it is directed to release the Petitioner on bail in the aforesaid case on such terms and conditions to be fixed by 3rd Additional Sessions Judge, Puri as he deems just and proper including the conditions that, the Petitioner shall furnish two sureties (with proper identity proof) out of which one shall be his relative and that, he shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

6. The BLAPL is disposed of.

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

(B.P. Routray)
Judge