

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2636 of 2022

Sarfu @ Sk. Sarfuddin* *Petitioner

Mr. R.N. Rout, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

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

**ORDER
26.08.2022**

Order No.

04. 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 Balasore Town P.S. Case No.64 of 2017 corresponding to S.T. Case No.8/224 of 2017 pending in the Court of learned Additional Sessions Judge, Balasore for offences punishable under sections 302/307/120-B/34 of the Indian Penal Code read with sections 25/27 of the Arms Act.

The petitioner moved an application for bail before the Court of learned Additional Sessions Judge, Balasore which was rejected on 10.03.2022.

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody since 2017 and when he approached this Court last time for bail in BLAPL No.8819 of 2020, the same was disposed of as per order dated 10.12.2021 and taking into account the custodial period of the petitioner and the status of the trial, this Court directed the learned trial Court to conclude the trial by the end of February 2022 and the petitioner was given liberty to renew the prayer for bail, if the trial is not concluded within the aforesaid period.

Status report submitted by the learned trial Court dated 21.07.2022 indicates that out of thirty six charge sheet witnesses, fifteen witnesses have been examined and the examination of the Investigating Officer is continuing.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the progress of the trial so far as per the status report, I am inclined to release the petitioner 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 the three months period.

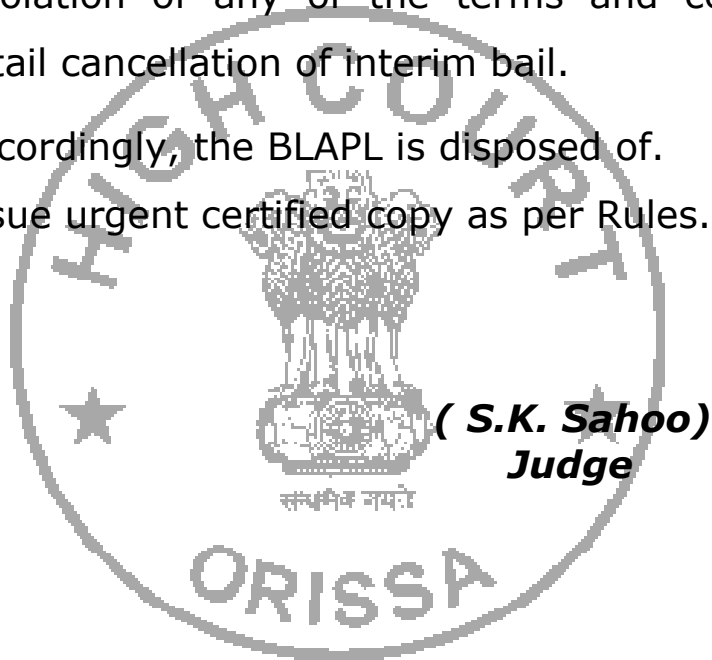
For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/- (rupees fifty

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 subject to conditions that while on interim bail, the petitioner shall not indulge in any criminal activities in any manner and he shall appear before the learned trial Court on each date to which the case would be posted for trial.

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

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.



RKM