

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2640 of 2022

***Tankadhar Ranbida @
Tanka*** ***Petitioner***

Mr. P.K. Nayak, Advocate

-versus-

State of Odisha ***Opp. Party***

*Smt. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
06.05.2022**

Order No.

01. 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 S.T. Case No.36 of 2021 arising out of Jamankira P.S. Case No.57 of 2021 pending in the Court of learned Additional Sessions Judge, Kuchinda for offences punishable under sections 302/201/34 of the Indian Penal Code.

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

Learned counsel for the petitioner submitted

that the petitioner is in judicial custody since 25.05.2021 and his earlier bail application in BLAPL No.5427 of 2021 was rejected as per order dated 08.12.2021 mainly on the ground of his extra judicial confession of one Chudamani Bag. Learned counsel further submitted that the said Chudamani Bag has been examined as P.W.3 in the trial Court and she has not supported the prosecution case and therefore, the bail application of the petitioner may be favourably reconsidered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the change in the circumstances after rejection of the earlier bail application, since the witness of extra judicial confession has not supported the prosecution case and there is no other clinching material on record and taking into account the period of detention of the petitioner in judicial custody, I am inclined to reconsider the prayer for bail and direct the petitioner to be released on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000.00 (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter with further terms and

conditions as the learned Court may deem just and proper subject to conditions that the petitioner shall appear before the learned trial Court on each date when the case would be posted for trial and shall not indulge in any criminal activities and shall not try to tamper with the evidence.

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

The BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.



RKM