

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2853 of 2022

Manoj Dandasena

.... ***Petitioner***
Mr. R.N. Mohanty, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. S.S.Pradhan, A.G.A.

**CORAM:
JUSTICE G. SATAPATHY**

ORDER
29.11.2022

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Badagada P.S. Case No.06 of 2011 corresponding to S.T. Case No.99 of 2020 of the Court of Additional Sessions Judge, Bhanjanagar, Ganjam for commission of offences punishable U/Ss. 120-B/121/-A/124-A of IPC r/w, U/S-7 Cr.L.A. Act 4 of E.S. Act, 10/13/16/18/20/39/40 of U.A.P. Act.
 3. In the course of hearing of the bail application, learned counsel for the Petitioner submits that the Petitioner is inside jail custody since last eight years, but trial is yet to commence and the Petitioner is no way connected with the crime. It is further submitted that six co-accused persons have been granted with bail and the Petitioner standing on similar footing, may kindly be released on bail.
 4. On the contrary, learned counsel for the State strongly opposes the bail application of the Petitioner and, he inter alia submits that the Petitioner has not been detained in jail custody since last eight years, rather he has been remanded to custody in this case since 06.06.2019 and one eye witness has specifically identified the Petitioner in this case. It is accordingly prayed by him to reject the bail application of the Petitioner.

5. Considering the rival submissions made, nature and gravity of accusations raised against the Petitioner and taking into consideration the surrounding circumstances involved in this case including the FIR being registered against unknown persons and keeping in view the pre-trial detention of the Petitioner since 06.06.2019 and released of six co-accused persons on bail and regard being had to the fact that the trial is yet to commence as submitted, this Court grants bail to the Petitioner.

6. Hence, the prayer for the bail of the Petitioner stands allowed and the Petitioner is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the Petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with and that the Petitioner shall report attendance before the jurisdictional Police Station on each Sunday in between 10 A.M. to 12 Noon for six months from the date of release from the custody. The I.L.C., of jurisdictional Police Station shall not detain the Petitioner unnecessarily after recording his attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the Petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge