

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.2522 OF 2021

Sibaram Polai @ Polei

.... Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. G.N. Rout, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

18.05.2022

BLAPL NO.2522 OF 2021

&

I.A. NO.820 OF 2022

Order No.

03. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. This is the successive journey of the Petitioner in filing this Application under section 439 of the Cr.P.C. in connection with Polosara P.S. Case No.07 of 2018 corresponding to S.T. Case No.101 of 2020 arising out of G.R. Case No.12 of 2018 pending on the file of learned Addl. District & Sessions Judge, Kodala for commission of offence punishable under section-498-A/302/304/--B/34 of the IPC read with section-4 of the D.P. Act for reconsideration of the prayer for grant of bail to the Petitioner in the above mentioned case. Another Application has also been filed for grant of interim bail for six months to look after his family members.
3. At the outset learned Counsel for the Petitioner placing the fact that the Petitioner being arrested in the case is in custody since 25.01.2018; instead of pressing this bail Application for hearing and disposal on merit, prays for its disposal considering the matter

of grant of interim bail to the Petitioner for some period so that he would be in position to provide required help to his family members to run the show by remaining at home for few weeks as all of them in the absence of any male member depend on him. It is submitted that the Petitioner being a permanent resident of the district of Ganjam, there remains no scope on his part to flee from justice and the question of tampering the evidence at this stage does not arise. In view of all these above; he urges for grant of interim bail to the Petitioner for a period of eight (6) weeks.

4. Learned Counsel for the State opposes the move, in view of the evidence already recorded in the trial implicating the Petitioner. He however, does not dispute the position that the Petitioner being in custody since 25.01.2018, the trial has not yet been concluded. It is explained that in view of the long prevailing Pandemic of COVID-19 situation, the delay has occasioned.

5. Considering the submissions made, it is directed that the Petitioner be released on interim bail till 3rd July, 2022 on such terms and conditions as deemed just and proper by the Court in seisin of the case with further conditions that he will appear in person before the Court in seisin of the case on the date/dates falling during the period of interim bail; will appear before the IIC, Polosara P.S. every Monday in between 10 am to 2 pm; will not leave the jurisdiction of the Court in seisin of the case and will surrender before the said court on 4th July, 2022 positively.

6. The BLAPL as well as the I.A. are accordingly disposed of.
Issue urgent certified copy as per rules.

(D. Dash),
Judge.