

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2846 of 2021

Abhimanyu Pradhan @ Tuja @ Baya **Petitioner**

Mr.M. Chand, Advocate

-versus-

State of Odisha **Opp. Party**
Mrs. Susamarani Sahoo
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER

23.09.2022

Order No.

10.

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 G.R. Case No.78 of 2020 arising out of Balugaon P.S. Case No.29 of 2020 pending in the Court of learned J.M.F.C., Banpur for offences punishable under section 395 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 17.03.2020 and his earlier bail application in BLAPL No.4269 of 2020 was rejected as per order dated 27.01.2021 and the learned trial Court was directed to expedite the trial and conclude the same within a

period of six months and the petitioner was granted liberty to renew his prayer for bail after examination of the identifying witnesses in the learned trial Court.

The status report dated 24.08.2022 submitted by the learned Asst. Sessions Judge, Banpur indicates that out of fifteen charge sheet witnesses, only one witness has been examined.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the fact that the slow progress of the trial, while not inclining to release the petitioner on bail on merit, I direct that the petitioner be released 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 three months period.

For the above period, let the petitioner be released on 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 and with further conditions that while on interim bail, the petitioner shall not try to tamper with the prosecution

evidence and shall appear before the learned trial Court on each date on which the date would be fixed for trial during the period of interim bail.

Violation of any conditions shall entail cancellation of bail.

Accordingly, the BLAPL is disposed of.

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

(S.K. Sahoo)
Judge

