

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3694 OF 2022

Sambaru Mahakul

....

Petitioner

Mr.B.K. Ragada, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.Jena, ASC

CORAM:

MR. JUSTICE D.DASH

Order No.

01.

Order

06.12.2022

1. The matter is taken up through hybrid arrangement (virtual/ physical) mode.
2. This is the successive journey of the Petitioner, who is in custody in connection with Barkot P.S. Case No.326 of 2017 corresponding to C.T. Case No.726 of 2017 further corresponding to S.T. Case No.39 of 2018 pending in the Court of the learned Sessions Judge, Deogarh running for the alleged commission of offence under section 498-A/302/34 of IPC of IPC, in filling this application under Section 439 Cr.P.C. for his release on bail in the above mentioned case.
3. Learned counsel for the Petitioner, at the outset, instead of pressing this application for grant of bail, prays for its disposal considering the grant of interim bail to the Petitioner. He submits that this Petitioner being arrested in the above case is in custody since 12.12.2017 and for such long detention of the Petitioner in custody, his family members having maintained themselves till now, are no more in a position to continue with their day-to-day living and for the purpose, they require some help from this Petitioner on whom they are all depending. He, therefore, prays for

grant of interim bail to the Petitioner for a period of two months so as to look after the family and make necessary arrangement for them.

3. Learned counsel for the State opposes the move, in view of the earlier rejection of the prayer for grant of bail to the Petitioner on merit.

4. Considering the submissions made and viewing all the surrounding circumstances; it is directed that the Petitioner be released on interim bail for a period of three (3) months from the date of his actual release from custody on such terms and conditions as the learned Court in seisin of the case deems just and proper with further conditions that he will appear in person before the Court in seisin of the case on each date of posting of the case during the period of interim bail; will not indulge in any criminal activity, will not leave the jurisdiction of the Court; and will surrender before the said Court after expiry of the period of interim bail.

5. The BLAPL is accordingly disposed of.

Issue urgent certified copy of this order as per rules.

**(D. Dash),
Judge.**