

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3818 of 2022

Gandu Naik

.... Petitioner

Mr.S.S. Ray-2, Advocate

-versus-

State of Odisha

.... Opp.Party

*Mr.Arupananda Das,
Addl. Government Advocate*

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

**ORDER
26.10.2022**

Order No.

04. 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 Sorada P.S. Case No.191 of 2019 corresponding to S.T. Case No.65 of 2020 pending in the Court of learned Addl. Sessions Judge, Aska for offences punishable under sections 341/294/506/307/302/34 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of learned Addl. Sessions Judge, Bhanjanagar, Circuit Court at Sorada, which was rejected on

24.02.2022.

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody since 13.11.2019 and taking into account the delay in disposal of the trial, this Court vide order dated 01.12.2021 in BLAPL No. 2172 of 2021 granted interim bail to the petitioner for a period of two months and after availing the same, he surrendered at right time and therefore, the bail application may be favourably considered.

Status report submitted by the learned trial Court dated 14.10.2022 indicates that out of twenty three charge sheet witnesses, only one witness has been examined.

Considering the submissions made by the learned counsel for the respective parties, slow progress of trial, the conduct of the petitioner in complying with the earlier order of interim bail and the period of detention of the petitioner in judicial custody, while not inclining to release the petitioner on bail on merit, I am inclined to release the petitioner on interim bail for a period of three months from the date of release. The petitioner shall surrender before the learned trial Court immediately on expiry of the three months period.

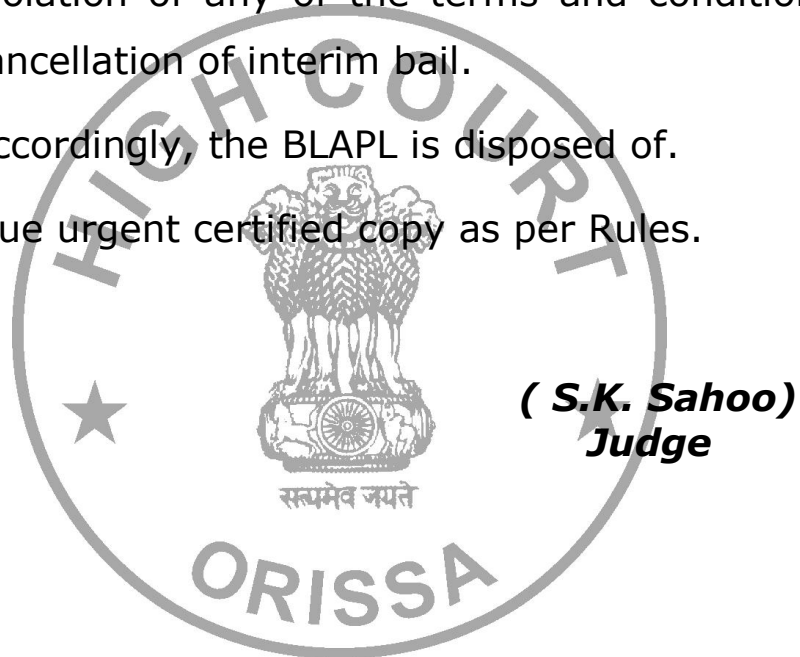
For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/- (rupees fifty thousand) with two

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 including the conditions that he shall not indulge in any criminal activities, shall not try to tamper with the prosecution evidence and shall appear before the learned trial Court on each date to which the case would be posted for trial during the interim bail period.

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

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.



**(S.K. Sahoo)
Judge**

PKSahoo