



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4110 of 2022

Sayed Usman Ali @ Tito **Petitioner**

*Mr.Milan Kanungo,
Senior Advocate*

-versus-

State of Odisha **Opp. Party**

*Mr.P.B. Tripathy,
Addl.Standing Counsel*

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

**ORDER
24.07.2023**

I.A. No.577 of 2023

Order No.

09. 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 for modification of order dated 23.11.2022 particularly with respect to the requirement for petitioner's appearance before the Inspector in-charge of Kendrapara Town police station twice in a week on every Wednesday so also on Sunday till conclusion of the trial except the days that would fall on the dates of trial.

Mr. Kanungo, learned Senior Advocate submits that the petitioner has not appeared even once after being released from the custody since February.

Learned Counsel for the State has produced the written instruction received from the Inspector in-charge of Kendrapara Town police station in its connected matter i.e. BLAPL No.822 of 2022 from which it appears that the petitioner was ordered to appear before the Inspector in-charge of Kendrapara Town police station twice in a week on every Wednesday so also on Sunday till conclusion of the trial except the dates that would fall on the trial date but till today, he has not appeared once before him nor gave any intimation regarding his non-appearance which is clear violation of the order of this Court.

Perused the grounds taken in the interim application. Since the petitioner has flouted the terms and conditions of the bail order dated 23.11.2022, the bail order is recalled.

The petitioner shall be immediately taken into custody by the Inspector in-charge of Kendrapara Town police station in connection with Kendrapara Sadar P.S. Case No.189 of 2019.

A free copy of the order be handed over to the learned counsel for the State for compliance.

Accordingly, the I.A. stands disposed of.

(S.K. Sahoo)
Judge

Sipun