

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4120 of 2022

Rabi Sahu

....

Petitioner

Mr. M.K. Chand, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal

Addl. Standing Counsel

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

ORDER

23.09.2022

Order No.

01

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 Barkot P.S. Case No.126 of 2020 corresponding to S.T. Case No.31 of 2020 pending in the Court of learned Sessions Judge, Deogarh for offences punishable under sections 498-A/302/30734 of the Indian Penal Code read with section 4 of the D.P. Act.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 26.05.2021 and his earlier bail application in BLAPL No.6024 of 2020 was rejected as per order dated 17.11.2020 and the petitioner was given liberty to

renew the prayer for bail after examination of the material witnesses. Learned counsel further submitted that the petitioner is a local man and since there is no progress in the trial, the petitioner may be granted interim bail for some period.

The status report dated 10.08.2022 submitted by the learned Sessions Judge, Deogarh indicates that out of thirty forty two charge sheet witnesses, not a single witness has been examined till date.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the slow progress of the trial, I am inclined to release the petitioner 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 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 subject to conditions that while on interim bail, the petitioner shall not indulge in any criminal activities in any manner and he shall appear before the learned trial Court on each date to which the case

would be posted for trial.

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

