

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4144 of 2022

Jitendra Baliarsingh* *Petitioner

Mr.S. Dwibedi, Advocate

-versus-

State of Odisha

.... Opp. Party

Mrs. Susamarani Sahoo

Addl. Standing Counsel

*Mr. S.K. Hota, Advocate for the
informant*

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

**ORDER
01.12.2022**

Order No.

07. 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 Bamunigaon P.S. Case No.25 of 2021 corresponding to C.T. Case No.20 of 2021 pending in the Court of learned Additional Sessions Judge -cum- Special Court under POCSO Act, Phulbani for offence punishable under sections 363,366,376(2)(n), 376(3), 506 of the Indian Penal Code read with section 6 of the POCSO Act.

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody on

25.03.2021 and when he approached this Court last time for bail in BLAPL No.9334 of 2021, the same was disposed of as per order dated 07.01.2022 and the learned trial Court was directed to expedite the trial and conclude the same by the end of June 2022. It is submitted by the learned counsel for the petitioner that out of fifty four charge sheet witnesses, only fourteen witnesses have been examined and he has annexed the deposition copies of those witnesses. It is submitted that the victim has already been examined and the petitioner is a local man and there is no chance of absconding and therefore, the petitioner may be granted interim bail for some period.

Learned counsel for the State as well as learned counsel for the informant opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, nature of evidence adduced by the prosecution so far and the period of detention of the petitioner in judicial custody and the progress of the trial so far, 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.

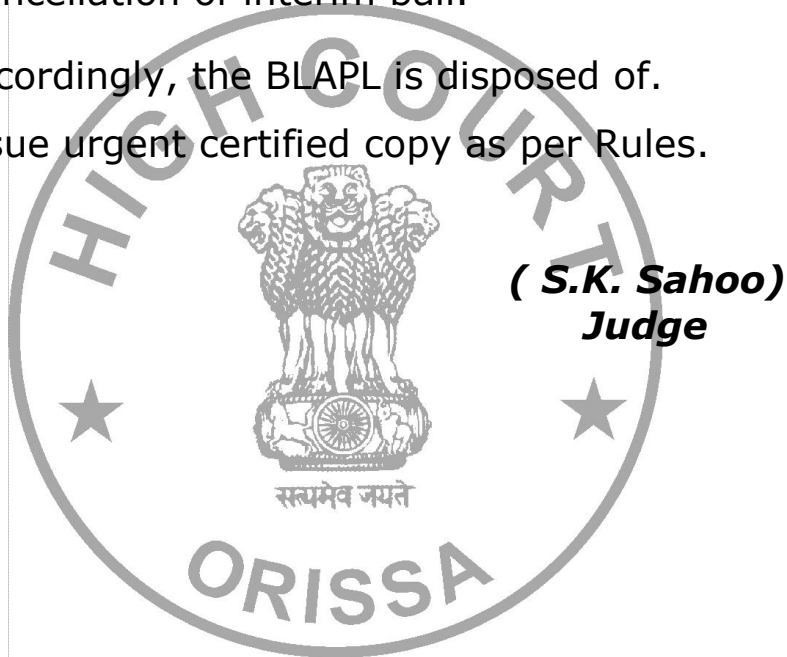
For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/- (rupees fifty thousand) with two

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