

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4457 of 2022

Rabi @ Rabindra Das* *Petitioner

Mr. D. Sarangi, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Debasis Biswal,
Addl. Standing Counsel*

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

**ORDER
23.09.2022**

Order No.

02. 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 Kodala P.S. Case No.174 of 2019 corresponding to Sessions Trial No.03 of 2020 pending in the Court of learned Additional Sessions Judge, Khallikote for offences punishable under sections 498-A/302 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of learned Additional Sessions Judge, Khallikote which was rejected on 09.05.2022.

Learned counsel for the petitioner submitted

that the petitioner was taken into judicial custody in connection with this case on 09.07.2019 and when he approached this Court last time in BLAPL No.6250 of 2021 on account of delayed disposal of trial, he was granted interim bail for a period of three months as per order dated 17.12.2021 and after availing the same, he surrendered at right time and in the meantime, out of fifteen charge sheet witnesses, only two witnesses have been examined and those two witnesses have not supported the prosecution case and therefore, the petitioner may be granted interim bail for some period. Learned counsel files the deposition copies, which are taken on record.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody, the progress of the trial so far and the conduct of the petitioner in complying with the earlier order of interim bail, 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.

