

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No.114 of 2022

Narayan Kumar Khaitan

....

Petitioner

-versus-

Union of India

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER
26.07.2022

Order No.

- 02.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Parties.
 3. This is an application for modification of conditions set in the order dated 23.07.2021, passed in BLAPL No.1517 of 2021.
 4. While granting bail to the Petitioner on 23.07.2021, this Court imposed certain conditions including the condition to record the presence of the Petitioner before the R.N. Palli Police Station once in a week from the date of his release. However, Petitioner in the meanwhile is required to proceed to Delhi for his treatment. Because of the above condition, he cannot leave the jurisdiction of the concerned police station. Accordingly, he seeks modification of the order dated 23.07.2021 passed in BLAPL No.1517 of 2021.

5. Considering the submission made, this Court observes that if the Petitioner have some health problem, the aforesaid condition shall not stand on the way of the Petitioner to proceed to the place of his treatment, but after taking such permission from the concerned police station. If such permission is sought for, the I.I.C. of the concerned police station on verifying the veracity of such requirement, notwithstanding the order of this Court shall allow the Petitioner to proceed to the place of his treatment with intimation to the court dispensing with recording his presence in the local police station and on such condition to track him and also to obviate that he is a flight risk. Furthermore, he shall also give an undertaking that in the trial court that in his absence, the learned counsel appearing for him shall proceed with the trial. The leave absence sought for however should be commensurate to the time he required for such treatment.

6. With the aforesaid observation, the CRLMA stands allowed.

7. Office is directed to communicate this order to the trial court.

8. Issue urgent certified copy as per rules.

(S. Pujahari)
Judge

Uks