

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4095 of 2020

Chuin @ Santosh Kumar Barik

Petitioner(s)

Mr.T.P.Mohapatra,
Advocate

-versus-

State of Odisha

Opposite Party(s)

Mr.S.P.Panda, AGA

CORAM:

JUSTICE BISWANATH RATH

ORDER

25.07.2022

Order No.

2.

1. Heard learned counsel appearing for the parties.

2. Considering the dismissal of BLAPL No.4638 of 2018 by order dated 08.08.2018 and considering the trial involving the case had already commenced, the 3rd Additional District Judge, Cuttack was directed to expedite the trial and to conclude the same within a period of four months, if necessary entering into day-to-day trial. Unfortunately, trial could not be concluded. Learned State Counsel submits that COVID-19 became impediment in undertaking the trial exercise when there is completion of examination of 8 witnesses from the prosecution side. This Court finds in fact COVID-10 was a reason for non-conclusion of the trial in the whole State. This Court finds this is the state of affair long since.

3. Be that as it may, this Court even though declines to grant bail to the petitioner for the nature of offence and the serious allegation against the petitioner, this Court observes, there should be attempt to close the trial involving S.T.Case No.92 of 2017 pending on the file of learned 3rd. Additional sessions Judge, Cuttack at least within a period of four months failure of which petitioner is at liberty to move for bail.

The bail application stands rejected but however with the observation made hereinabove.

(Biswanath Rath)
Judge

sks

