

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4926 of 2022

Ananta Majhi

....

Petitioner

Mr. A. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mrs. S. Rani Sahoo, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.06.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as leaned counsel for the State. Perused the F.I.R., Case Diary and other relevant documents.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The petitioner is an accused in S.T. Case No.22/27 of 2009 corresponding to Nayagarh P.S. Case No.340 of 2007 pending in the court of learned C.J.M., Nayagarh for commission of offence punishable under Sections 307/341/294/323/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that earlier the petitioner has been released on bail by the learned court below and he could not appear since 23.09.2009 to 07.05.2022, N.B.W. of

arrested has been issued by the learned court below and executed the same as a result of which the petitioner is in custody since 07.05.2022.

6. Learned counsel for the State opposes the prayer for bail of the petitioner and submits that the petitioner is not cooperating with the trial.

7. Further, learned counsel for the petitioner submits that the petitioner had gone to Kerala for earning his livelihood and staying there and he had no knowledge about the date fixed by the trial court. Hence, he has not appeared on the date, which was fixed by the trial court and he shall not commit any mistake in future.

8. Having heard learned counsel for the parties and considering the period of detention of the petitioner, it is directed that let the petitioner be released on bail by furnishing a cash security of Rs.5,000/-(rupees five thousand) for the like amount to the satisfaction of the learned court in seisin over the matter.

9. It is open for the court in seisin over the matter to impose other conditions as may be deemed just and proper.

10. The Bail Application is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Vacation Judge