

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5012 of 2022

Prasanna Kumar Swain @ Minja

....

Petitioner

Mr. Niranjan Lenka
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K.Maharaj
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.7.2022.

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 13th May, 2022 in connection with Nandankanan P.S. Case No.58/2005 corresponding to G.R. Case No.994(A)/2005 pending in the court of learned S.D.J.M., Bhubaneswar for the alleged commission of the offence under Sections 147/148/323/324/307/427/149 of I.P.C.

4. The matter relates to the year 2005. The Petitioner is said to have absconded for which charge sheet was submitted showing him as an absconder. N.B.W. was issued by the court below and he was apprehended on 13th May, 2022. It is submitted that the Petitioner had no knowledge about the case and had never evaded arrest, rather no steps were taken to arrest him.

5. Considering the submissions, the materials on record, the period of detention of the Petitioner in custody and the fact that the case is of the year 2005, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear personally before the court below on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

