

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.449 of 2022

Indumati @ Indu Behera Appellant

Mr. A.K. Sahoo, Advocate

-versus-

1. State of Odisha

***2. Kishore Chandra
Dehury***

.... Respondents

*Mr. Debasis Biswal,
Addl. Standing Counsel*

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

**ORDER
10.08.2022**

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the appellant and learned counsel for the State.

This is an appeal under section 14-A of S.C. & S.T. (PoA) Act, 1989 in connection with Special G.R. Case No.04 of 2018 arising out of Barkot P.S. Case No.24 of 2018 pending in the Court of learned Additional Sessions Judge -cum- Special Judge, Deogarh for offences punishable under sections 498-A/302/304-B/201/34 of the Indian Penal Code read with section 3(2)(v) of the S.C. & S.T. (PoA) Act.

The appellant moved an application for bail before the Court of learned Additional Sessions Judge -cum- Special Judge, Deogarh which was rejected on 12.05.2022.

Learned counsel for the appellant submitted that the appellant is in judicial custody since 07.02.2018 and on the ground of delayed disposal of the trial, he was released on interim bail for a period of four months as per order dated 22.11.2021 in CRLA No.157 of 2021 and after availing the interim bail period, he surrendered at right time. He further submitted that out of forty two charge sheet witnesses, seventeen witnesses have been examined so far and therefore, the bail application of the appellant may be favourably considered.

Status report submitted by the learned trial Court also indicates in that respect.

Learned counsel for the State opposed the prayer for bail.

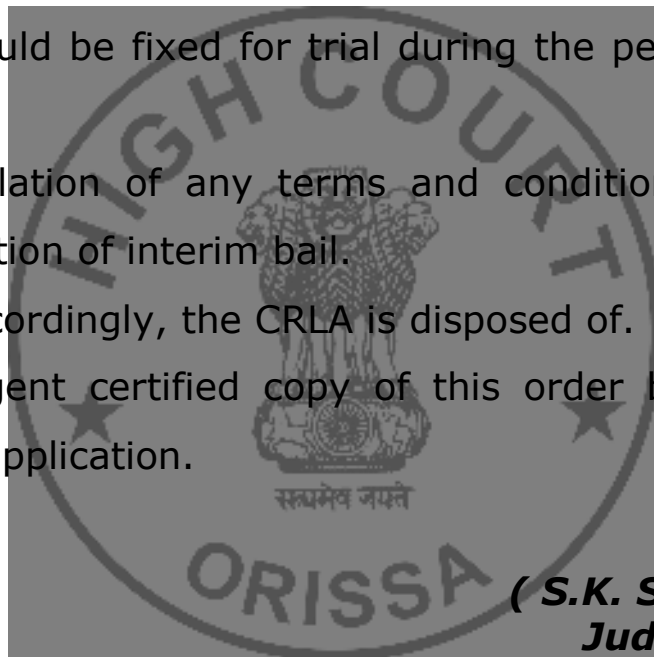
Considering the submissions made by the learned counsel for the respective parties, the period of detention of the appellant in judicial custody, the conduct of the appellant in complying with the earlier interim bail order and further taking into account the progress of the trial so far, I am inclined to release the appellant on interim bail for a period of three months from the date of release and the appellant shall surrender before the learned trial Court immediately on expiry of three months period.

For the above period, let the appellant 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 and with further conditions that while on interim bail, the appellant shall not try to tamper with the prosecution evidence and shall appear before the learned trial Court on each date on which the date would be fixed for trial during the period of interim bail.

Violation of any terms and conditions shall entail cancellation of interim bail.

Accordingly, the CRLA is disposed of.

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



(S.K. Sahoo)
Judge

RKM