

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.4988 of 2021**

***Pintu @ Chitrabhanu Majhi .... Petitioner***

*Mrs. Bharati Das, Advocate*

*-versus-*

***State of Odisha .... Opp. Party***

*Mr.Arupananda Das,  
Addl. Government Advocate*

**CORAM:**

**JUSTICE S.K. SAHOO**

**ORDER**

**26.08.2022**

**Order No.**

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

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

This is an application under section 439 of Cr.P.C. for grant of bail to the petitioner in connection with Hirakud P.S. Case No.02 of 2017 corresponding to S.T. Case No. 117 of 2017 pending in the Court of learned Sessions Judge, Sambalpur for alleged commission of offence under section 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 09.01.2017 and he has been charge sheeted under section 302/34 of the Indian Penal Code and his

earlier bail application in BLAPL No. 6618 of 2017 was rejected as per order dated 16.01.2018. It is contended by the learned counsel for the petitioner that in the meantime, out of twenty charge sheet witnesses, seven witnesses have been examined and most of the witnesses have not supported the prosecution case and therefore, the bail application of the petitioner may be favourably reconsidered.

Learned counsel for the State, on the other hand, opposed the prayer for bail and stated that one eye witness, namely, Rinki Rohidas being examined as P.W.3 has supported the prosecution case. He further submitted that there are three criminal antecedents against the petitioner.

Considering the submissions made by the learned counsel for the respective parties, the nature of evidence adduced by the eye witness during trial and the slow progress of trial, while not inclining to release the petitioner on bail on merit, but taking into account the fact that the petitioner is in judicial custody since 2017, I am inclined to release the petitioner on interim bail for a period of three months from the date of release.

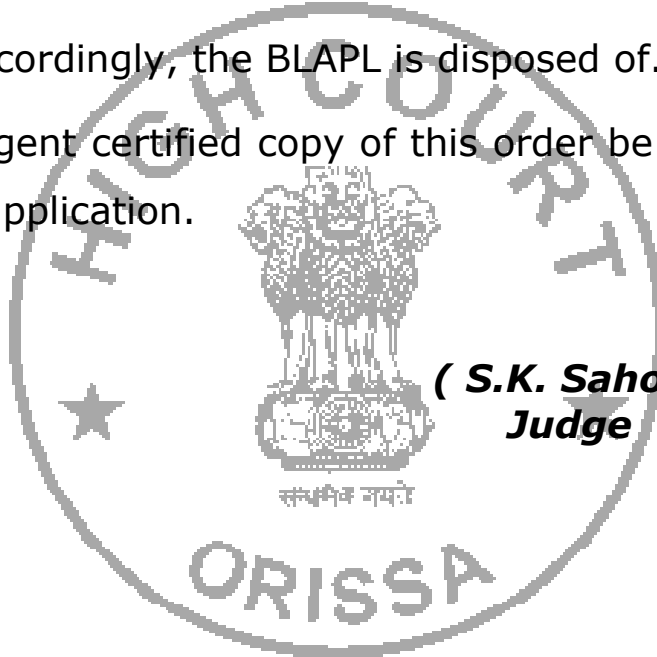
For the above period, let the petitioner be released on interim bail in connection with the aforesaid case on furnishing bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties

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 including the conditions that while on interim bail, the petitioner shall appear before the learned trial Court on each date to which the case would be posted for trial and he shall not tamper with the prosecution witnesses and shall not indulge in any criminal activities. Violation of any of the conditions shall entail cancellation of bail.

Accordingly, the BLAPL is disposed of.

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

**( S.K. Sahoo )**  
**Judge**



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