

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6081 of 2022

Sanjaya Sahu @ Sanjay* *Petitioner

Mr. Akash Bhuyan, Advocate

-versus-

State of Odisha* *Opp.Party

Mr. Arupananda Das
Addl. Government Advocate

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

**ORDER
21.10.2022**

Order No.

02. 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. in connection with Patnagarh P.S. Case No.96 of 2020 corresponding to G.R. Case No.351 of 2020 pending in the Court of learned S.D.J.M., Patnagarh for offences punishable under sections 147/148/341/294/302/307/149 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of learned Additional Sessions Judge, Patnagarh which was rejected on 10.01.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 05.06.2020 and his earlier bail application in BLAPL No.7432 of 2020 was rejected as per order dated 22.03.2021 and he was given liberty to renew the prayer for bail after examination of the injured in the learned trial Court.

The status report dated 10.10.2022 submitted by the learned trial Court indicates that the charge has not been framed and the learned trial Court is awaiting the chemical examination report.

Learned counsel for the petitioner submitted that the petitioner is a local man and there is no chance of absconding and in view of the inordinate delay in commencement of trial, he may be granted interim bail for some period.

Learned counsel for the State on verification of the case record submitted that the petitioner has got two criminal antecedents.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the progress of the trial so far as per the status report, I am inclined to release the petitioner on interim bail for a period of three months from the date of release and the petitioner shall surrender before the learned trial Court immediately on expiry of the three months period.

For the above period, let the petitioner 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 subject to conditions that while on interim bail, the petitioner shall not try to come in contact with any of the prosecution witnesses or tamper with the evidence and he shall appear before the learned trial Court on each date to which the case would be posted for trial.

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

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.



(S.K. Sahoo)
Judge

RKM