

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5343 of 2020

Fukul @ Muna Mahakud

....

Petitioner

Mr. S.K. Samantray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. D.R. Parida, ASC

CORAM:

MR. JUSTICE D.DASH

ORDER

21.03.2022

Order No.

04. 1. This matter is taken up through hybrid arrangement (virtual/physical mode)
2. This the second journey of this Petitioner, who is in custody in connection with S.T. Case No.35 of 2017 arising out of G.R. Case No.989 of 2016 corresponding to Purighat P.S. Case No.81 of 2016 on the file of learned Sessions Judge, Cuttack running for commission of offence under sections 458/396, I.P.C., has filed this application under section 439 of the Cr.P.C. for his release on bail.
3. Heard learned counsel for the petitioner and the learned counsel for the State.
4. Considering the submissions made and keeping in view the nature of accusations against the petitioner as those emanate from the materials on record as well as the surrounding

circumstances, while being not inclined to reconsider the prayer for grant of bail to the Petitioner, this application stands disposed of with a direction to the Trial Court to take all such effective step, as provided in law, for examination of the prosecution witnesses, namely, Prasanta Kumar Ojha and Kunja Gauda within a period of two months hence.

Learned Additional Standing Counsel is directed to impart necessary instructions to all concerned to see that the above exercise is completed within the time frame. It is made clear that in the event of non-completion of the above exercise within the time frame; liberty is granted to the Petitioner to renew his prayer for grant of bail.

5. The BLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.

**(D.Dash),
Judge.**

Himansu