

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5377 of 2021

Sukanta Pradhan

....

Petitioner

Mr. P.R. Singh, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. D.K. Pani,

Additional Standing Counsel

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

**ORDER
11.02.2022**

Order No.

05. 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 C.T. (Sessions) Case No.08 of 2021 arising out of Balimi P.S. Case No.77 of 2020 pending in the Court of learned Sessions Judge, Dhenkanal for offence punishable under section 306/34 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of learned Sessions Judge, Dhenkanal, which was rejected on 05.07.2021.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 04.06.2020 and his earlier bail application in BLAPL No.5190 of 2020 was

rejected as per order dated 23.12.2020 and liberty was granted to him to renew the prayer for bail after examination of the material witnesses in the trial Court. It is submitted that in the meantime, material witnesses have been examined in the trial Court and they have stated nothing against the petitioner. Deposition copies of twelve witnesses have been annexed to the bail application.

Perused the evidence copies of the witnesses.

After hearing the learned counsel for the State, since not a single witness stated anything against the petitioner, in view of the change in the circumstances after the rejection of the earlier bail application and further taking into account the period of detention of the petitioner in judicial custody, I am inclined to reconsider the prayer for bail and direct the petitioner to be released on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000.00 (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper.

The BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

RKM

(S.K. Sahoo)
Judge