

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6966 of 2019

Bipin Kishor Kiro

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

11.08.2022

Order

No.

07.

1. This matter is taken up through hybrid mode.
2. The Petitioner being in custody in S.T. Case No.77 of 2017, arising out of Kinjirikela P.S. No.25 of 2017, pending in the Court of Sessions Judge, Sundargarh, has filed this petition for his release on bail. The offences alleged against him are punishable under Sections 341, 323, 294, 354, 450, 376-D, 506 read with Section 34 of the I.P.C.
3. Heard the learned counsel for the Petitioner and the learned counsel for the State-Opposite Party.
4. It appears that the Petitioner is in custody for more than five years and trial in the aforesaid case is yet to be concluded. Nothing has been produced to show that the Petitioner has been contributing in delay in disposal of the case. Some of the co-accused persons are already on bail. Victim as well as doctor in this case has already been

examined. But, for examination of the other witnesses, the case is lingering.

5. Considering the facts and submissions made, especially the fact that the Petitioner in this case is in custody for more than five years and also some of the co-accused are on bail, coupled with the fact that in spite of direction of this Court vide order dated 28th January, 2019 passed in BLAPL No.7314 of 2018 regarding expeditious disposal of the aforesaid case, trial is not concluded, this Court directs that the Petitioner be released on bail in the aforesaid case by the Court in seisin over the matter on such terms and conditions as it would deem just and proper.

6. Accordingly, the BLAPL stands disposed of being allowed.

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

(S. Pujahari)
Judge

DA