

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6414 of 2022

Basanta Panda

....

Petitioner

Mr. Devashis Panda

-versus-

State of Odisha

....

Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel
Mr. Biswajit Pasayat
(for the informant)*

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

**ORDER
16.09.2022**

Order No.

03. 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 Sambalpur Town P.S. Case No.289 of 2019 corresponding to S.T. Case No.21/15 of 2020-21 pending in the Court of learned 1st Additional Sessions Judge, Sambalpur for offences punishable under sections 364/302/201 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since

22.07.2019 and his earlier bail application in BLAPL No.8126 of 2020 was rejected as per order dated 02.08.2021 and direction was given to the petitioner to renew the prayer for bail after examination of the material witnesses. Learned counsel further submitted that out of forty two charge sheet witnesses, only one witness has been examined and therefore, the petitioner may be granted interim bail for some period.

Learned trial Court has submitted the status report dated 02.08.2022 from which it appears that out of forty two charge sheet witnesses, one witness has been examined so far.

Learned counsel for the State has no serious objection so far as the interim bail of the petitioner is concerned.

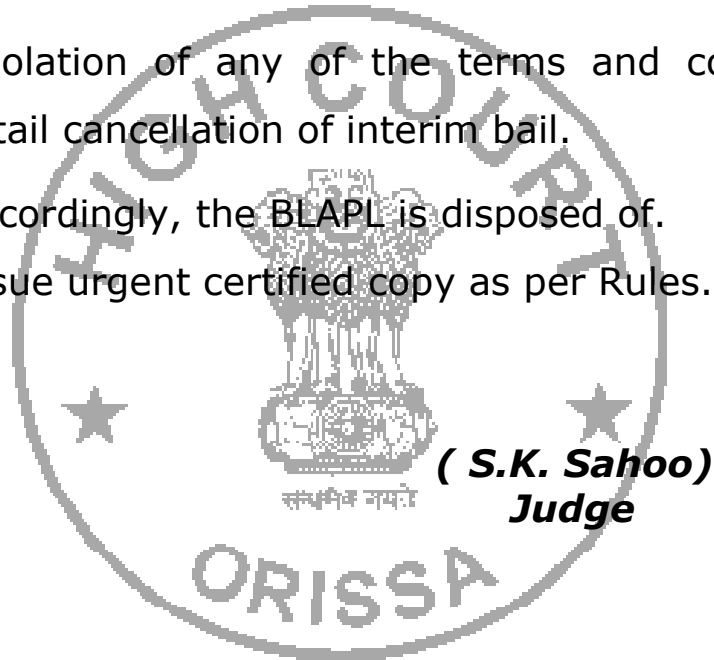
Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the progress of the trial so far as per the status report, I am inclined to release the petitioner on interim bail for a period of three months from the 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 tamper with the prosecution witnesses, he shall not indulge in any criminal activities in any manner 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.



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