

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No. 339 of 2022

Arjun Das

....

Petitioner

Mr. B.K. Raj, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy,

Additional Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

08.12.2022

Order No.
03.

1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner, who is a CICL is in custody since 12.04.2022. It is alleged that the petitioner along with some other persons brutally assaulted the son of the informant being armed with deadly weapons like sword, Bhujali, iron rod, crowbar etc. causing serious injuries, to which he ultimately succumbed. It is submitted that the case has been foisted against the CICL falsely and on omnibus allegation. Further there is unexplained delay in lodging the F.I.R.
4. Learned Counsel for the State has opposed the prayer for bail by submitting that the Social Investigation Report as reflected in the impugned order, clearly reveals that the CICL is exposed to bad influence and there is lack of parental control. Therefore, releasing him will not enure to his benefit.
5. I have considered the rival submissions and have gone through the case record including the impugned order. Considering the nature of accusation and the existence of materials prima facie showing the complicity of the petitioner in the alleged occurrence, I

am not inclined to allow his prayer for regular bail. However, considering the fact that he has been in custody for nearly eight months and trial has not commenced as yet, I am inclined to direct his release on interim bail for a period of four weeks from the date of his actual release on such terms and conditions as the Court in seisin of the matter may deem fit and proper to impose including the following conditions;

(i) He shall personally appear before the LPO-cum-DCPU, Cuttack once in a week.

(ii) He shall not leave the territorial jurisdiction of the Trial Court; and

(iii) He shall appear personally on each date of posting of the case failing which necessary order shall be passed to take him into the custody again.

6. Accordingly, the CRLREV is disposed of.

7. Urgent certified copy of this order be granted as per rules.

(Sashikanta Mishra)
Judge

Balaram