

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6124 of 2020

Akhaya Kumar Naik* *Petitioner

Mr. G. Mishra, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Manoranjan Mishra,
Addl. Standing Counsel*

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

**ORDER
29.07.2022**

Order No.

06. 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 Special G.R. Case No.12 of 2017 arising out of Baramba P.S. Case No.35 of 2017 pending in the Court of learned Addl. Sessions Judge – cum- Special Court under POCSO Act, Cuttack for offences punishable under sections 363/366(A)/ 376/294 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 07.03.2017 and he was granted interim bail for a period of four weeks by this Court as per order dated

24.09.2019 passed in I.A. No. 934 of 2019 and after availing the interim bail period, he has surrendered before the learned Court below at right time and the conduct of the petitioner in complying with the earlier interim bail order, the petitioner may be granted interim bail for some period.

Status report was called for as per order dated 20.05.2022 and the learned trial Court has furnished the same vide letter dated 20.06.2022 from which it appears that till date, out of twenty six charge sheet witnesses, twenty witnesses have already been examined.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody, progress of the trial so far and the conduct of the petitioner in complying with the terms of the earlier interim bail order, at this stage, while not inclining to release the petitioner on bail on merit, 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 that while on interim bail, the petitioner shall not try to come in contact with any of the prosecution witnesses or tamper with the evidence, he shall not indulge in any criminal activities and he shall appear before the learned trial Court on each date on which the date would be fixed for trial during the period of interim bail. The Inspector in-charge of Baramba police station shall keep a close vigil over the activities of the petitioner during the interim bail period.

Violation of any terms and conditions shall entail cancellation of interim bail.

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge