

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.474 of 2020

Sunil Sahoo

....

Appellant

Mr. R.K. Ray, Advocate

-versus-

State of Odisha

....

Respondent

*Mr. Arupananda Das,
Addl. Government Advocate*

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

**ORDER
21.09.2022**

Order No.

09.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioner and learned counsel for the State.

This is an appeal under section 101 of Juvenile Justice (Care and Protection of Children) Act, 2015 in connection with Spl. G.R. Case No.178 of 2019 arising out of Chauliaganj P.S. Case No.141 of 2018 pending in the Court of learned Special Court –cum- 3rd Addl. Sessions Judge, Cuttack for alleged commission of offences punishable under sections 394/302/34 of the Indian Penal Code.

Learned counsel for the appellant-petitioner submitted that the petitioner was arrested in

connection with this case on 05.07.2018 and thereafter, he was kept in the observation home and he was granted interim bail by this Court as per the order dated 27.08.2021 in I.A. No.729 of 2020 for a period one month and after availing the interim bail period, he surrendered at right time. He further submitted that in view of inordinate delay in disposal of the case, the bail application of the petitioner may be favourably considered.

Status report was called for as per the order dated 29.08.2022 and the learned trial Court has furnished the same vide letter dated 06.09.2022 from which it appears that out of twenty seven charge sheet witnesses, eight witnesses have been examined so far.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of evidence available on record, while not inclining to release the petitioner on bail on merit, but taking into account the period of detention of the petitioner in observation home, the delay in disposal of the case and the conduct of the petitioner in complying with the earlier order of interim bail granted by this Court, I am inclined to release him on interim bail for a period of three months from the date of release. The

petitioner shall immediately surrender before the learned Court below on expiry of the said three months period.

For the above period, let the petitioner be released on interim bail to the satisfaction of the learned trial Court in connection with 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 conditions that while on interim bail, the petitioner shall not try to tamper with the prosecution evidence and shall appear before the learned trial Court on each date on which the date would be fixed for trial during the period interim bail. Violation of any of the conditions shall entail cancellation of bail.

The CRLA is accordingly, disposed of.

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

(S.K. Sahoo)
Judge