

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9554 of 2022

Sk. Sameer & another

....

Petitioners

Mr. Md. Golam Madani, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

27.09.2022

Order No.

03. I.A. No.1686 of 2022

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This I.A. has been filed by the Petitioners seeking modification of the order dated 26.08.2022 passed in ABLAPL No.9554 of 2022.
3. Heard learned counsels for the parties.
4. Considering the submission made by learned counsel for the Petitioners, the whole of the paragraph-8 of the aforesaid order dated 26.08.2022 is hereby deleted and in its place the following paragraph is added.

“So far as Petitioner No.2 – Sk. Jeekrullah @ Jitu @ Jiku is concerned, he is directed to surrender before the learned Special Judge (POCSO), Bhubaneswar in the aforesaid T.R. Case within a period of three weeks from today. In the event Petitioner No.2

surrenders and moves for bail within the aforesaid stipulated period, he shall be released on bail by the learned Sessions Judge (POCSO), Bhubaneswar on his furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two local solvent sureties each for the like amount to the satisfaction of the court in seisin over the matter.

However, the release of Petitioner No.2 shall be subject to the following additional conditions –

- (i) Petitioner No.2 shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;*
- (ii) He shall appear before the concerned P.S. once in a fortnight till conclusion of trial and shall appear before the trial court on each date fixed for trial, till conclusion of the trial.*
- (iii) He shall not threaten, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner whatsoever, while on bail;*
- (iv) He shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.*

Violation of any of the conditions shall entail cancellation of bail of the Petitioner No.2.”

5. Four weeks' further time from today is extended for the Petitioners to surrender before the learned court below, vide the aforesaid order dated 26.08.2022, but subject to depositing cost of

Rs.500/- (rupees five hundred) by the Petitioners in the Advocates' Welfare Fund of Orissa High Court Bar Association within 15 days from today and furnishing money receipt thereof in proof of the deposit.

6. It is made clear that, if the cost is not deposited within the time stipulated, the time extended for the petitioners to surrender shall stand revoked automatically.

7. The I.A. is disposed of accordingly.

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

S.K.Parida

