

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL NO.8185 OF 2022**

***Sumi Pandka***

....

***Petitioner***

Mr. Manoranjan Padhy, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. Samaresh Jena, ASC

**CORAM:**

**MR. JUSTICE D.DASH**

**Order**

**13.12.2022**

**Order No.**

02.

1. This matter is taken up through hybrid arrangement (virtual/physical mode).

2. The Petitioner, being in custody in connection with Pottangi P.S. Case No.62 of 2017 corresponding to C.T. Case No.01 of 2018 on the file of the learned Additional District Judge, Koraput running for alleged commission of offence under sections 364,302,201,34, I.P.C. read with section 5 of the Witch Hunting Act and section 3(2)(v) of S.C. & S.T. Act has filed this Application under section 439 of the Cr.P.C. for his release on bail.

3. Learned counsel for the Petitioner instead of pressing for hearing of the bail application on merit, prays for its disposal considering grant of interim bail to the Petitioner for some period. He submits that this Petitioner being arrested in connection with the above noted case is in custody since 29.07.2017. He further submits that due to such long detention of the Petitioner in custody, not only he but also his family members are suffering and the situation has now become such that the members of the family who depend upon the Petitioner are no more in a position to continue without the help and support of the Petitioner. He therefore submits that presence of

this Petitioner for some days at his home is very much necessary. He, therefore, urges for grant of interim bail to the Petitioner.

4. Learned counsel for the State opposes the move.

5. Considering the submissions made and further keeping in view the surrounding circumstances, it is directed that the Petitioner be released on interim bail for a period of ten weeks from the date of his actual release from custody or conclusion of trial whichever is earlier on such terms and conditions as deemed just and proper by the court in seisin of the case with further conditions that he will appear in person before the trial court on the date fixed during the period and will surrender before the said court after expiry of the period of interim bail without fail.

6. The BLAPL is accordingly disposed of.  
Issue urgent certified copy as per rules.

**(D. Dash),  
Judge.**

Himansu

