

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8234 of 2022

Ananda Parida **Petitioner**

Mr.S.R. Mohapatra, Advocate

-versus-

State of Odisha **Opp.Party**

Mr.Arupananda Das
Addl. Government Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER
22.11.2022

Order No.

03. 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. for grant of bail to the petitioner in connection with Ranpur P.S. Case No.207 of 2020 corresponding to S.T. Case No. 3/14 of 2021-2020 pending in the Court of learned Addl. Sessions Judge, Nayagarh for alleged commission of offences under sections 498-A/302/304-B/34 of the Indian Penal Code read with section 4 of the POCSO Act.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 16.07.2020 and his earlier bail application in BLAPL No. 5000 of 2021 was

rejected as per order dated 23.12.2021 and liberty was granted to the petitioner to renew the prayer for bail after examination of the material witnesses in the trial Court. It is further submitted that in the meantime, trial has commenced and seven witnesses have been examined so far including the informant who is the brother of the deceased. It is further submitted that the marriage between the petitioner and the deceased was solemnized five years prior to her death with the petitioner and they were blessed with a son who was aged about three years at the time of occurrence and no clinching evidence has come on record so far against the petitioner during trial and in view of the available materials on record, the bail application of the petitioner may be favourably reconsidered.

Learned counsel for the State opposed the prayer for bail.

Perused the evidence copy of the witnesses examined so far in the learned trial Court.

Considering the submissions of the learned counsel for the respective parties, the nature of evidence adduced so far in the learned trial Court and further taking into account the period of detention of the petitioner in judicial custody, I am inclined to reconsider the prayer for bail and direct release the petitioner on bail.

Let the petitioner be released on 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 such terms and conditions as the learned Court may deem just and proper including the conditions that the petitioner shall not indulge in any criminal activities, shall appear before the learned trial Court when the case would be posted for trial and shall not try to tamper with the prosecution witnesses. Violation of any of the conditions shall entail cancellation of bail.

BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.



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