

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10605 of 2022

Majha Soren

....

Petitioner

Mr. Jagajit Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

12.01.2024

I.A. No.2624 of 2023

Order No.

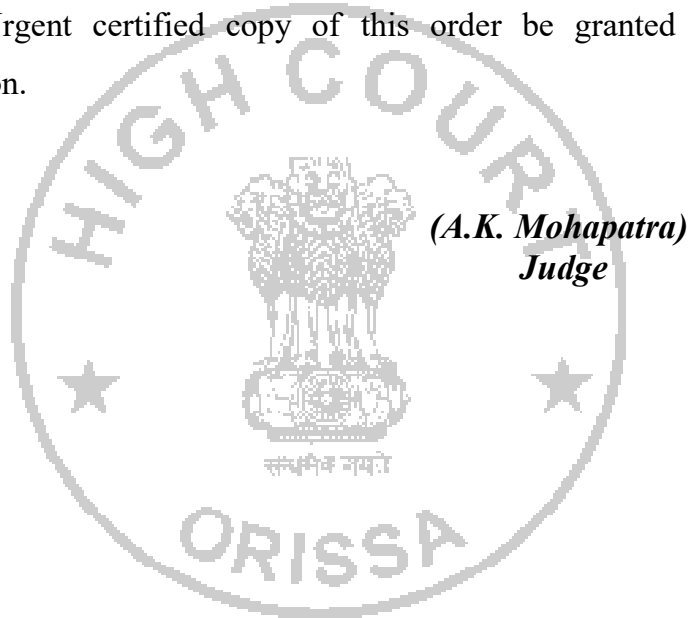
03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This interlocutory application has been filed by the Petitioner for modification of the order dated 23.09.2022 passed by this Court in the aforesaid bail application.
3. Heard the learned counsel for the parties.
4. Learned counsel for the Petitioner submitted that the present Petitioner is serving at Jammu and Kashmir at the moment. Therefore, it is difficult to the Petitioner to appear before the trial court on each and every date fixed. In such view of the matter, learned counsel for the Petitioner submitted that the condition No.(iv) of the bail order be modified.
5. Learned counsel for the State, on the other hand, submitted that in the event this Court is inclined to modify the order dated 23.9.2022,

then it should be ensured that the Petitioner shall appear before the trial court so that the trial can be concluded within a stipulated period of time without unnecessary delay in disposal of the trial.

6. Considering the submissions made, the condition No.(iv) of the bail order dated 23.9.2022 is modified to the extent that the Petitioner shall move an application before the trial court seeking exemption from appearance before the court below and in such event, the trial court shall do well to consider the same on its own merit.

7. With the aforesaid observation, the I.A. stands disposed of.

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



(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Designation: Secretary
Reason: Authentication
Location: OHC, CUTTACK.
Date: 16-Jan-2024 12:17:10

