

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8494 of 2022

Kartik Pradhan @ Pardhan ***Petitioner***

Mr. S.K. Mahanty, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

10.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No.347 of 2010 (E), pending in the Court of the learned J.M.F.C., Buguda, Ganjam, arising out of Buguda P.S. Case No.103 of 2010, for alleged commission of offences under Sections 302/201 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bhanjanagar, Ganjam, by order dated 26.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the co-accused who faced trial, the father and the brother of the present petitioner have since been acquitted by judgment dated 05.11.2016 and 06.12.2016 in S.T. Case Nos.14 of 2011 and 115 of

2014 respectively by the learned Additional Sessions Judge, Bhanjanagar.

6. It is submitted that the allegation against the petitioner are more or less similar to the once made against his father and brother, who are since been acquitted. Hence it is stated that merely because it is alleged that he has absconded, he should not be allowed to languish in custody any further.

7. Learned counsel for the State submits that since the petitioner has absconded for more than 12 years, he ought not to be released at this stage.

8. Considering the acquittal of the co-accused, this Court directs the petitioner to be released on bail. The learned Court in seisin over the matter to fix the terms so as to ensure the presence of petitioner on each date of trial.

9. Taking into account that the petitioner was absconding for more than a decade, this Court directs that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha