

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8560 of 2022

Jitu @ Jitendra Khatua* *Petitioner

Mr. R.K. Pradhan, Advocate

-versus-

State of Odisha* *Opp .Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
06.12.2022**

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 the third successive bail application of the petitioner under section 439 of Cr.P.C. in connection with Talcher P.S. Case No.142 of 2020 corresponding to C.T. (S) Case No.36 of 2020 pending in the Court of learned Addl. Sessions Judge, Talcher for offences punishable under sections 498(A)/306/34 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of learned Addl. Sessions Judge, Talcher, which

was rejected on 01.08.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 22.04.2020 and out of twenty one charge sheet witnesses, twenty witnesses have been examined in the learned trial Court so far. It is further submitted that in view of the progress in the trial and since the petitioner is a local man and there is no chance of his absconding, the bail application of the petitioner may be favourably reconsidered.

Learned counsel for the State opposed the prayer for bail and placed the evidence of the witnesses particularly P.Ws. 1, 3 & 7.

Considering the submissions made by the learned counsel for the respective parties, nature of evidence adduced so far, the petitioner is a local man and there is no chance of absconding, progress of trial and taking into account the period of detention of the petitioner in judicial custody, while not inclining to release the petitioner on bail on merit, I am inclined to release the petitioner on interim bail for a period of three months from the date of release. The petitioner shall surrender before the learned trial Court immediately on expiry of the three months period.

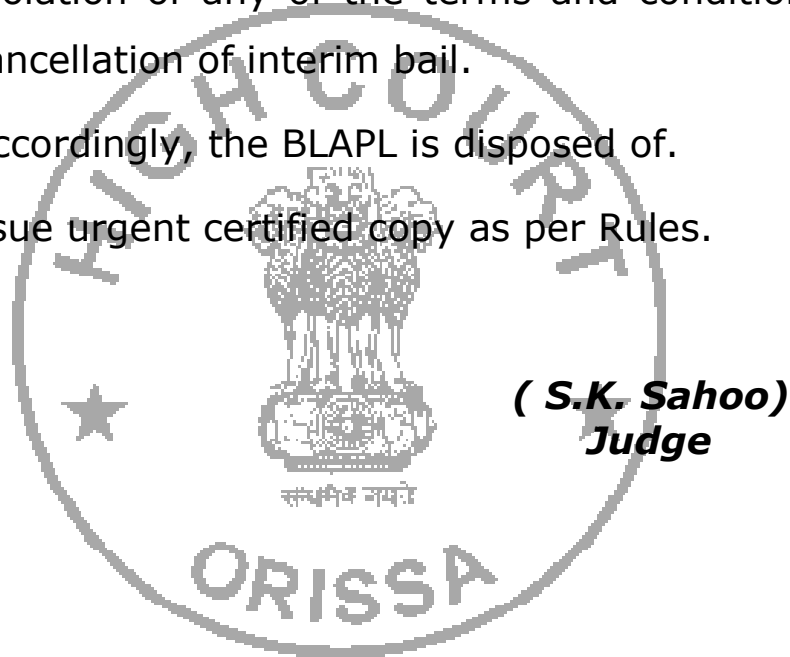
For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/- (rupees fifty thousand) with two

local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper including the conditions that he shall not indulge in any criminal activities, shall not try to tamper with the prosecution evidence and shall appear before the learned trial Court on each date to which the case would be posted for trial during the interim bail period.

Violation of any of the terms and conditions shall entail cancellation of interim bail.

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.



PKSahoo