

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.8767 of 2022

Krushna Chandra Jena

....

Petitioner

Mr. B.K. Nayak, 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. This is the successive journey of this Petitioner who is in custody in connection with Nimapara P.S. Case No.140 of 2019 corresponding to G.R. Case No.338 of 2019 arising out of S.T. Case No.02 of 2022 pending on the file of the learned Additional Sessions Judge, Nimapara, running for the alleged commission of offence under sections-498(A)/302/304(B)/506/34, I.P.C. read with section 4 of the D.P. Act in filing this application for grant of bail in the above mentioned case.

3. At the outset, learned counsel for the Petitioner citing the long period of detention of the Petitioner in custody since 05.06.2019 instead of pressing for hearing of the bail application on merit, prays for its disposal by considering the 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 05.06.2019 and the trial is yet to conclude. He further submits that due to such detention of the Petitioner in custody and non-conclusion of trial, his family members are suffering a lot and

serious hardship is being caused to them. It is also his submission that till now his family members having somehow been able to manage the show, it is no more possible on their part to continue without the help and aid of this Petitioner at least for some time by their side at home. In view of all these above, when there remains no scope on the part of the Petitioner to flee from justice and tamper the evidence, he 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 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.**