

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7834 of 2021

Ganesh Mirdha

.... ***Petitioner***
Mr. P.K. Jena, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
23.02.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the F.I.R., Case Diary and other relevant documents.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The Petitioner is an accused in S.T. Case No.09/19 of 2021 corresponding to C.T. Case No. 382(D) arising out of Deogarh P.S. Case No.135 of 2007 pending in the court of learned Additional Sessions Judge-cum-Special Judge, Deogarh for commission of offence punishable under Sections 147/148/452/436/365/342/325/323/307/302/120-B/121/121-A/122/122-A/212/109/149, I.P.C. read with Sections 25 and 27 of the Arms Act and Section 17 of Cr.L.A. against unnamed maoist.
5. Learned counsel for the Petitioner seeks permission to withdraw the present bail application with liberty to move a fresh

bail application before the court below in the event the trial is not concluded within a stipulated time.

6. Learned counsel for the Petitioner further submits that Petitioner is in custody since 05.11.2007.

7. Considering the submissions and the materials available on record, the Petitioner is permitted to withdraw the bail application and the same is accordingly disposed of as withdrawn.

8. However, learned trial court shall make endeavour to dispose of the case as expeditiously as possible preferably within a period of four months from today.

9. It is further directed that in the event the trial court fails to conclude the trial within the aforesaid period of time, the Petitioner is given liberty to file a fresh bail application.

10. With the aforesaid observation, the bail application stands disposed of.

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

Jagabandhu

