

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7940 of 2021

Bhala @ Bipini Senapati

....

Petitioner

Mr.B.P.Pradhan, *Advocate.*

-versus-

State of Odisha

....

Opp. Party

Mr. K.K.Nayak,A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.01.2022

Order No.

02.

This matter is taken up through Video Conferencing mode.

2. Heard Mr.Pradhan, learned counsel for the Petitioner and Mr.Nayak, learned Additional Standing Counsel for the State-Opp.Party.

3. This is an application under section 439 Cr.P.C. filed by the Petitioner for bail in connection with Puri Sadar P.S.Case No.209 of 2018 corresponding to S.T.Case No.8/74 of 2019 pending in the Court of the learned 3rd Additional Sessions Judge, Puri for alleged commission of offences under Sections 147, 148, 323, 341, 294, 452, 324, 326, 307, 302, 506, 354/149 of the Indian Penal Code.

4. Mr.Pradhan, learned counsel for the Petitioner submits that the petitioner is in jail custody since 18th September, 2018. In the present during trial 11 witnesses including eye witnesses, injured and the informant have been examined. Earlier direction was given for expeditious completion of trial while disposing of the bail application of co-accused persons, but till date trial has not progressed further. It

is the submission of Mr.Pradhan, learned counsel for the Petitioner that some other co-accused persons have been released on bail by this Court in different bail applications.

5. Mr.Nayak, learned Additional Standing Counsel opposes for bail and submits that in view of the statements made by the eye witnesses and the injured, the prayer for bail of the Petitioner should be rejected.

6. After hearing the learned counsel appearing for both parties and keeping in view the release of other co-accused persons on bail as well as detention of the Petitioner in jail custody since long and also slow progress in the trial, I am inclined to release the Petitioner on bail in the aforesaid case on such terms and conditions to be fixed by the learned court in seisin over the matter including the condition that the petitioner shall not be involved in any other case while on bail and shall attend trial court on each date of posting.

5. The bail application stands disposed of.

6. As the restrictions due to resurgence of COVID -19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Court's Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022..

(A.K. Mohapatra)
Judge