

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9175 of 2022

Ashok Madhi @ Madi

....

Petitioner

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K.Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
14.11.2022

Order No.

03.

I.A No.1979 of 2022

1. This matter is taken up through hybrid mode.
2. This I.A has been filed by the Petitioner for modification of the order dated 27.10.2022.
3. It is submitted that inadvertently it was stated that the Petitioner is the first offender. Which, was duly noted by this Court while directing the Petitioner to be released on bail.
4. It is further submitted that the Petitioner has one criminal antecedent inasmuch as he was an accused in G.R. Case No.248 of 2017 on the file of learned S.D.J.M., Malkangiri. The Petitioner has placed on record the judgment passed in the aforesaid case dated 30.10.2019 by which the Petitioner was acquitted.
5. Hence, modification of the order is prayed for.
6. Considering the submission of the learned counsel for the Petitioner and keeping in view the acquittal, in the case in which he was an accused, this Court is persuaded to modify the stipulation relating to paragraphs 5 and 8 of the order dated 27.10.2022.

Learned Court in seisin over the matter is called upon to release the Petitioner on bail on such terms to be fixed by the learned Court in seisin over the matter so as to ensure his presence on each date of trial.

7. Learned Court in seisin is requested to act on production of the order dated 27.10.2022 and the order passed in the present I.A.

8. Other stipulations in the order dated 27.10.2022 remain unaltered.

9. The I.A is accordingly disposed of.

10. Issue urgent certified copy of the order as per rules.

(V. NARASINGH)
Judge

PKS

