

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8267 of 2021

***Dillip Kumar Moharana @ Petitioner
Tutu***

Mr. Devashis Panda, Advocate

-versus-

State of Odisha Opp. Party

*Mr. Rajesh Tripathy
Addl. Standing Counsel*

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

**ORDER
28.10.2022**

**BLAPL No.8267 of 2021
&
I.A. No. 1875 of 2022**

Order No.

19. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard Mr. Devashis Panda, learned counsel for the petitioner and Mr. Rajesh Tripathy, learned Additional Standing Counsel for the State of Odisha.

This is an application under section 439 of Cr.P.C. in connection with C.T.(S) No.41 of 2021 arising out of Dhenkanal Sadar P.S. Case No.194 of 2020 pending in the Court of learned Sessions Judge, Dhenkanal for alleged commission of offences punishable under sections

147/148/341/294/506/302/149 of the Indian Penal Code and section 25 of the Arms Act.

The petitioner moved an application for bail before the Court of learned Sessions Judge, Dhenkanal which was rejected on 13.09.2022.

Learned counsel for the petitioner submitted that this bail application is for interim bail for the treatment of ailing father and wife of the petitioner and taking into account the health condition of the father of the petitioner and after obtaining necessary instruction through the learned counsel for the State, this Court has been pleased to grant interim bail on four occasions i.e. on 26.11.2021 in I.A. No.162 of 2021, on 11.03.2022 in I.A No.171 of 2022, on 22.07.2022 in I.A. No.777 of 2022 and on 27.09.2022 in I.A. No.1603 of 2022 and on the first three occasions, the petitioner after availing the same has surrendered at right time and so far as the last interim application is concerned, the date of surrender is expiring today but the petitioner has filed another interim application for extension of that interim order as his father is undergoing treatment in Gopabandhu Institute of Medical Science and Research, Madhabpur, Athagarh and the medical certificate to that effect has been annexed. Learned counsel further submitted that both the I.A. and the bail application be disposed of so that after availing the extension period, the petitioner will surrender and

thereafter, he will move the bail application on merit in due course.

Learned counsel for the State has no serious objection to the same.

Considering the submissions made by the learned counsel for the respective parties and the conduct of the petitioner in complying with the earlier interim bail orders, I extend the interim bail order till the end of November 2022. It is made clear that no further extension shall be granted to the petitioner.

Accordingly, both the I.A. and BLAPL are disposed of.

Since the date of surrender is posted to today, the copy of the order be communicated to the learned trial Court by the learned Registrar (Judicial) during the course of the day.

Urgent certified copy of this order be granted on proper application during the course of the day.

(S.K. Sahoo)
Judge

RKM