

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8773 of 2021

Kalia Nahak @ Kalia

.... Petitioner

Mr. Debasis Sarangi, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. P. K. Mohanty, ASC

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

18.5.2022

Order No.

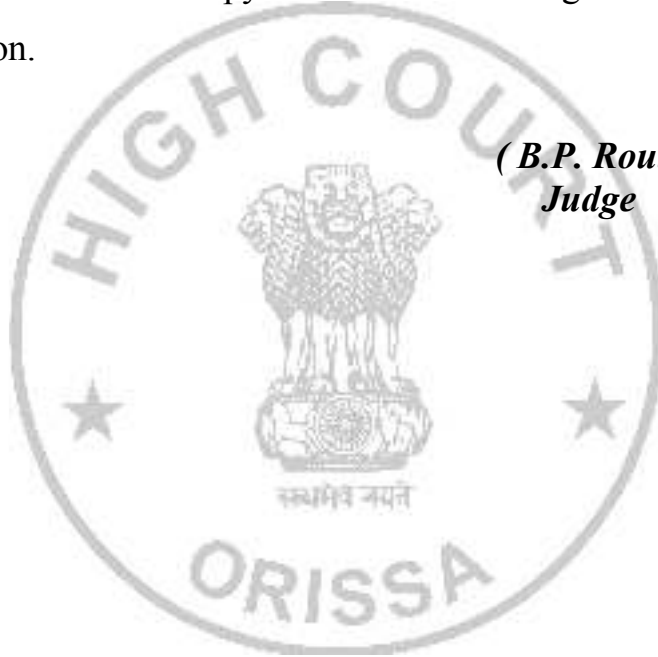
- 3.
1. Heard Mr. Sarangi, learned counsel for the Petitioner and Mr. Mohanty, learned Additional Standing Counsel for the State.
 2. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner in connection with S.T. Case No. 118 of 2020 arising out of Kabisuryanagar P.S. Case No. 294 of 2018 pending in the court of the learned Additional Sessions Judge, Kodala, Ganjam for alleged commission of offence under Sections 302/34 of the I.P.C.
 3. It is submitted that the Petitioner is inside custody since 18.12.2018 and till date trial has not commenced. It is further submitted that as it reveals from the statement of the alleged eyewitness, Narmada Nahak, she has not seen the assault and she reached at the spot immediately after the occurrence.
 4. Upon hearing Mr. Mohanty, learned Additional Standing Counsel for the State and considering the period of detention of the Petitioner inside custody and the fact of non-commencement

of the trial till date, it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions to be fixed by the learned court below in seisin over the matter, including the condition that he shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

5. The BLAPL is disposed of.

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

(B.P. Routray)
Judge



CRBiswal