

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9933 of 2022

Bhagaban Naik

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
03.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with S.C. Case No.02 of 2015 corresponding to G.R. Case No.176 of 2014, pending in the Court of the learned Additional Sessions Judge, Patnagarh, arising out of Patnagarh P.S. Case No.94 of 2014, for alleged commission of offences under Sections 366/384/379/120-B/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Patnagarh, by order dated 30.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that pursuant to the order passed by this Court dated 21.08.2014 in

BLAPL No.10363 of 2014, the petitioner was released on bail. Yet, for non appearance of the petitioner on the date fixed, he was taken into custody.

6. On instruction, the learned counsel for the petitioner submits that during the currency of the period when the petitioner has jumped the bail, he has not involved himself in any other offence.

7. Considering such submission and taking into account the assertion in the bail application that the non appearance on the date fixed before the Court in seisin was not deliberate but on account of circumstances beyond the control of the petitioner, this Court directs the petitioner to be released on bail. Learned Court in seisin over the matter to fix the terms so as to ensure the presence of the petitioner on each date of trial.

8. Taking into account the conduct of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station once every 15 (fifteen) days till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha