

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8967 of 2021

Chandu @ Ranjit Kumar* *Petitioner
Ghadei

Mr.A.P. Nayak, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. A.K. Beura,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
13.05.2022

Order No.

04. This matter is taken up through Hybrid arrangement (video conferencing/physical Mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 439 of Cr.P.C. for grant of bail to the petitioner in connection with Jatni P.S. Case No.379 of 2020 corresponding to G.R. Case No. 402 of 2020 pending in the Court of learned J.M.F.C., Jatni for alleged commission of offences under sections 395, 120-B of the Indian Penal Code and sections 25 and 27 of the Arms Act.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 13.10.2020 and his earlier bail application in BLAPL

No.1829 of 2021 was rejected as per order dated 26.07.2021 and liberty was granted to the petitioner to renew his prayer for bail after examination of the identifying witnesses in the trial Court. Learned counsel further submitted that in view of delay in commitment of the case to the Court of Session and the period of detention of the petitioner in judicial custody, the prayer for bail of the petitioner may be favourably reconsidered.

Learned counsel for the State opposed the prayer for bail.

A status report was called for from the learned Court below as per order dated 17.03.2022 and the learned Court below has furnished its report dated 23.03.2022, from which it reveals that the case has not yet been committed to the Court of Session.

Considering the submissions made by the learned counsel for the respective parties, the delay in commencement of the trial, while not inclining to release the petitioner on bail on merit, I am inclined to release the petitioner on interim bail for a period of three months from the date of release. The petitioner shall surrender before the learned trial Court immediately on expiry of the three months period.

For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/- (rupees fifty

thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper with further conditions that while on interim bail, the petitioner shall appear before the Inspector-in-charge of Jatni police station once in a week on every Monday in between 10.00 p.m. to 4.00 p.m. and he shall not indulge in any criminal activities;

Violation of any of the terms and conditions shall entail cancellation of interim bail.

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.

