

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9152 of 2021

Patu @ Prasanta Kumar Palei ***Petitioner***

Mr. Bikram Chandra Ghadei, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. Anupam Rath, Additional Standing Counsel

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
04.01.2022

Order No.

- 02.
1. Heard Mr. B.C. Ghadei, learned counsel for the Petitioner and Mr. A. Rath, learned Additional Standing Counsel.
 2. Learned counsel for the Petitioner is permitted to correct the P.S. case number in court itself.
 3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Patu @ Prasanta Kumar Palei in connection with Puri Sadar P.S. Case No.209 of 2018 corresponding to S.T. Case No.8 of 2019 (G.R. Case No.1821 of 2018) pending in the court of learned 3rd Additional Sessions Judge, Puri for alleged commission of offence under Sections 147/148/323/341/294/452/324/326/ 307/302/ 506/ 354/149 of the Indian Penal Code.
 4. It is submitted on behalf of the Petitioner that he is inside custody since 18th September, 2018 and in the meantime 11 witnesses including the eye witnesses, the injured and informant have been examined. It is further submitted that this Court by order dated 6th

August, 2020 has though directed for expeditious completion of trial while rejecting the prayer for bail of the present Petitioner, but till date the trial has not progressed further. It is also submitted that in the meantime some other co-accused persons, namely Alok Palei, Pabitra Mohan Patra @ Gedu, Prakash @ Pramod Kumar Senapati and Rabi Patra have been released on bail by this court in different bail applications.

5. Mr. Rath, learned Additional Standing Counsel opposes the prayer for bail by submitting that in view of the deposition of eye-witnesses and the injured, the prayer for bail of the Petitioner should be rejected.

6. Having heard both parties and keeping in view the release of other co-accused persons on bail, long detention of the Petitioner inside custody as well as slow progress in the trial, it is directed to release the present Petitioner on bail in the aforesaid case on such terms and conditions to be fixed by the learned court in seisin over the matter including the condition that, the Petitioner shall not be involved in any other case while on bail and shall attend the trial court on each date fixed.

7. The BLAPL is accordingly disposed of.

8. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge