

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10303 of 2022

Dhansingh Rout* *Petitioner

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha* *Opp.Party

Mr. Arupananda Das
Addl. Govt. Advocate

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

**ORDER
15.11.2022**

Order No.

01. 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 Cr.P.C. in connection with Dharmabandha P.S. Case No.21 of 2018 corresponding to S.T. Case No.73 of 2018 pending in the file of learned Additional Sessions Judge, Nuapada for alleged commission of offences under sections 302, 201, 304-B of the Indian Penal Code read with section 4 of the Dowry Prohibition Act.

The prayer for bail of the petitioner has been rejected by the learned Additional Sessions Judge,

Nuapada vide order dated 30.09.2022.

Learned counsel for the petitioner submitted that the petitioner was granted bail by this Court in BLAPL No.686 of 2019 as per order dated 19.02.2019 but thereafter due to the Covid-19 pandemic the petitioner could not attend the Court for which non-bailable warrant of arrest was issued against him on 27.07.2022 and he was taken into judicial custody on 09.09.2022 and since then he is in custody. He further submitted that the petitioner is ready and willing to cooperate with the learned trial Court for early disposal of the case and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the fact that the petitioner was earlier on bail and taking into account the period of detention in judicial custody, I am of the opinion that it is a fit case for grant of bail to the petitioner.

Let the petitioner be released on 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 to ensure his

presence during trial with further condition that the petitioner shall appear before the trial Court on each date when the case would be posted for trial.

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

The BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

