

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No.286 of 2022

Bairagi Charan Das & another

Petitioners

Mr. M. Khatua, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.10.2022

Order No.

04.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and learned counsel for the State.
3. This is an application under Section 389(2) read with Section 439 of Cr.P.C for bail pending disposal of the Criminal Appeal No.5 of 2022 before the learned Addl. Sessions Judge, Salipur.
4. The Petitioners have been convicted to undergo R.I. for 4 years for committing offence under Section 326/34 IPC and to undergo R.I for 2 years for offence under Section 324/34 IPC and the sentences have been directed to run concurrently.
5. It is submitted by the learned counsel for the Petitioners that during investigation, the Petitioners were granted bail by the learned Addl. Session Judge, Salipur by order dated 09.08.2016 in BLAPL No.929 of 2016 in S.T. Case No.177 of 2017 and it is

stated, on instruction, that the Petitioners have not misused the trust reposed on them.

6. Taking into account that the Petitioners are in custody since 16.04.2022, this Court is persuaded to direct the Petitioners to be released on bail. Terms of release to be fixed by the learned trial court.

7. Accordingly, the CRLMA stands disposed of.

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

(V. NARASINGH)
Judge

PKS

