

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.10387 OF 2022

Sailendra Kumar panda @ Muna ***Petitioner***
Mr. D. Panda, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr.S. Jena, ASC.

CORAM:
MR. JUSTICE D.DASH

ORDER

24.02.2023

I.A. NO.171 OF 2023

Order No.

02. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. This is an application for waiver of the condition imposed upon the Petitioner, while directing for his release on bail in connection with Bhawanipatna Sadar P.S. Case No.11 of 2019 corresponding to C.T. No.64 of 2019 (Sessions) pending in the Court of learned Sessions Judge, Kalahandi, Bhawanipatna.
3. Learned Counsel for the Petitioner submits that the Petitioner being released on bail pursuant to the order dated 19.12.2022, till now is abiding by the condition as to his appearance before the IIC, Bhawanipatna Sadar P.S. on every Monday. He further submits that as now the Petitioner is residing at Bhubaneswar where his children are prosecuting their studies, every week to run to Bhawanipatna is causing extreme hardship to him and that is also standing to his serious sufferance in all fronts. He, therefore, prays for waiver of that condition.

4. Learned Counsel for the State submits that in the facts and circumstances of the case, the condition having been rightly imposed, the prayer needs no consideration.

5. Considering the submissions made and on going through the averments taken in the petition, when it is said that the Petitioner has been abiding by the condition till now, this Court is of the view that said condition as to appearance of the Petitioner before the IIC, Bhawanipatna Sadar Police Station be substituted by the condition as to appearance before the IIC, Infocity Police Station, Bhubaneswar on the last Monday of the month in between 10 am to 2 pm.

A free copy of the order be handed over to the learned Counsel for the State for onward action.

6. The I.A. is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan