

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9489 of 2021

Sankar Dakua

....

Petitioner

Mr.K.P. Dash, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs.Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
26.08.2022**

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. in connection with S.T. Case No.164 of 2018 arising out of Tarasingi P.S. Case No.61 of 2001 pending in the Court of learned Addl. Sessions Judge, Bhanjanagar for offence punishable under section 302/34 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of learned Addl. Sessions Judge, Bhanjanagar, which was rejected on 15.09.2021.

Learned counsel for the petitioner submitted that

the petitioner was taken into judicial custody on 17.09.2017 and out of twenty charge sheet witnesses, six witnesses have been examined so far and the petitioner was granted interim bail twice for fifteen days and one month in BLAPL No. 2053 of 2020 and BLAPL No. 745 of 2021 respectively and after availing the interim bail periods, he surrendered at right time and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Perused the status report furnished by the learned trial Court.

Considering the submissions made by the learned counsel for the respective parties, the conduct of the petitioner in complying with the earlier orders of interim bail granted by this Court and the slow progress of 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 and 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

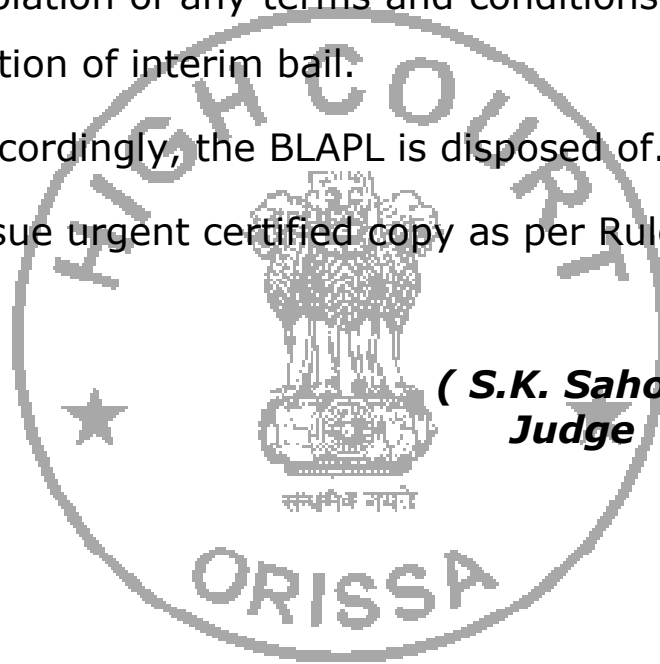
like amount to the satisfaction of the learned Court in seisin over the matter with further terms and conditions that while on interim bail, the petitioner shall not try to come in contact with any of the prosecution witnesses or tamper with the evidence, he shall not indulge in any criminal activities and he shall appear before the learned trial Court on each date on which the date would be fixed for trial during the period of interim bail.

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

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge



PKSahoo