

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.9521 OF 2021

Kalu Swain

.... ***Petitioner***
Mr. B.S. Das, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S.K. Nayak, AGA.

CORAM:
MR. JUSTICE D.DASH

ORDER
18.01.2022

Order No.

01. 1. This matter is taken up through video conferencing mode.
2. The Petitioner being in custody in connection with Rambha P.S. Case No.100 of 2005 corresponding to S.T. Case No.127 of 2013 arising out of G.R. Case No.290 of 2005 on the file of learned Addl. Sessions Judge, Khallikote running for commission of offence under section -460/294/427/302/506/34 of the IPC, has filed this application under section 439 of the Cr.P.C. for his release on bail.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Taking into account the submissions made; further keeping in view the materials on records as those stand against the Petitioner with other surrounding circumstances including the period of detention of the Petitioner in custody and in the absence of any such impediment; while being inclined to grant

bail to the Petitioner in the aforesaid case; it is directed that the Petitioner be released on bail on such terms and conditions as deemed just and proper by the Court in seisin of the case with further conditions that:-

1. he will not threaten or terrorize the prosecution witnesses in any manner;
2. will appear in person before the court in seisin of the case on each date of posting of the case without fail during the period;
3. will not leave the jurisdiction of the court till end of trial; and
4. will not indulge himself in any criminal activity.

Violation of any of the condition/s shall entail cancellation of bail.

5. The BLAPL is accordingly disposed of.
6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned Counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 as modified by Court's Notice No.4798 dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(D.Dash)
Judge