

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9588 of 2021

Deepak Sonkar **Petitioner**

Mr. P.K. Nayak, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

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

**ORDER
26.08.2022**

Order No.

02. 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. for grant of bail to the petitioner in connection with Plantsite P.S. Case No.36 of 2020 corresponding to S.T. Case No.44/12 of 2020-21 pending in the Court of learned 2nd Addl. Sessions Judge, Rourkela for offences punishable under sections 498-A/304(B)/302/201 of the Indian Penal Code read with section 4 of the D.P. Act, 1961.

Learned counsel for the petitioner submitted that the petitioner is the husband of the deceased Anandi Sonkar and he is in judicial custody since 31.01.2020

and he has been charge sheeted under sections under sections 498-A/304(B)/302/201 of the Indian Penal Code read with section 4 of the D.P. Act, 1961 and his earlier bail application in BLAPL No.3311 of 2020 was rejected as per order dated 25.01.2021 and the petitioner was granted liberty to renew his prayer for bail after examination of the material witnesses in the learned trial Court. Learned counsel for the petitioner has filed the certified copies of deposition of seven witnesses who have not stated anything against the petitioner and all of them have been declared hostile. He submitted that in view of change in the circumstances, 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 nature of evidence adduced by the prosecution so far in the trial Court, the change in the circumstances after rejection of the earlier bail application and the period of detention of the petitioner in judicial custody, I am inclined to reconsider the prayer for bail and direct the petitioner to be released on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with two local

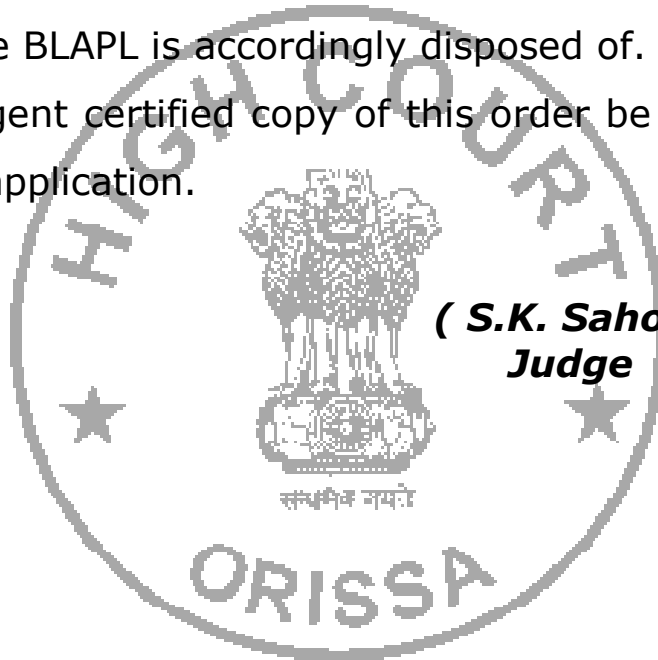
solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned Court may deem just and proper subject to conditions that the petitioner shall appear before the learned trial Court on each date when the case would be posted for trial and shall not indulge in any criminal activities and shall not try to tamper with the evidence.

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

The BLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge



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