

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11430 of 2022

Nirakar Guru

..... Petitioner

Mr. B.C. Parija, Advocate

-versus-

State of Odisha

..... Opposite Party

Mr. K. Das, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

17.11.2022

Order No.

01.

1. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.302/394 I.P.C.

2. Heard Mr. B.C. Parija, learned counsel for the Petitioner as well as Mr. K. Das, learned A.S.C. for the State-Opposite Party.

3. The Petitioner seeks his release on interim bail for a period of fifteen days on the ground of death of his grand-mother.

4. It is submitted that the grand-mother of the Petitioner, namely, Hara Bewa died in the night of 10/11th November, 2022. In support of his contention, the certificate issued by the local Corporator is produced in Court. The same is kept on record. It is further submitted that the Petitioner is inside custody since 11.8.2019.

5. Upon hearing Mr. K. Das, learned Additional Standing Counsel for the State-Opposite Party and considering the submissions made, it is directed to release the Petitioner on

interim bail for a period of ten days from the date of his release in connection with Badambadi P.S. Case No.141/2019 corresponding to S.T. Case No.17/2021 on such terms and conditions to be fixed by learned Sessions Judge, Cuttack as he deems just and proper including the condition that the Petitioner shall furnish two sureties (with proper identity proof) out of which one shall be his relative, he shall not be involved in any other offence while on bail, and he shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

6. It is made clear that the Petitioner shall surrender in the trial court on or before 29th November, 2022, failing which learned trial court shall take appropriate steps including issuance of NBW of arrest to apprehend him.

7. The BLAPL is disposed of.

8. An urgent certified copy of this order be granted on proper application in course of the day.

(B.P. Routray)
Judge