

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No.337 of 2022

Kamalakanta Sing @ Singh ***Petitioner***

Mr. S.S. Mohapatra, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.11.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Learned counsel for the Petitioner is permitted to correct the name of the Court of Addl. Sessions Judge, Balasore in the cause title in Court today.
3. The Petitioner has filed this CRLMA challenging the order dated 22.07.2022 passed by the learned Addl. Sessions Judge, Balasore in Criminal Appeal No.19 of 2022 rejecting the application filed under Section 389 Cr.P.C. for release on bail.
4. It is submitted that the Petitioner was initially released on bail and during currency of the bail period, the Petitioner had not committed any overt act but because of his non-appearance on the date fixed due to supervening circumstances, he was taken into custody and in that process, he is incarcerated for more than three years out of seven years.
5. Learned counsel for the State opposes the prayer for bail.

6. Taking note of the period of custody vis-à-vis the sentence imposed, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned trial court.
7. With the aforesaid order, this CRLMA stands disposed of.
8. Urgent certified copy of this order be granted on proper application.

(V. NARASINGH)
Judge

PKS

