

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12008 of 2022

Hiradhar Majhi

.... ***Petitioner***
Mr. S. Dwibedi, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. S.R.Roul, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
20.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Jharigaon P.S. Case No.43 of 2017 corresponding to C.T. Case No. 04 of 2019 pending in the file of learned Additional Sessions Judge, Umerkote for commission of offences punishable U/Ss. 376/511/294/506/427 of IPC.
3. In the course of hearing of the bail application, Mr. S. Dwibedi, learned counsel for the Petitioner submits that the Petitioner was earlier on bail, but as the case was transferred, he could not attend the Court on the date fixed for want of knowledge of transfer of the case and accordingly, NBW was issued against him and pursuant to such NBW, the Petitioner was arrested and taken into custody and he is inside in custody since 13.11.2022 and the Petitioner having sufficiently punished for his default may kindly be granted bail.
4. Mr. S.R. Roul, learned A.S.C., vehemently opposes the bail application of the Petitioner.

5. In view of the aforesaid submissions and taking into consideration about the arrest of Petitioner on 13.11.2022 pursuant to an NBW issued against him and he being earlier granted with bail by the learned Sessions Judge, in B.A. No. 38 of 2017, the Petitioner is hereby admitted to bail.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the Petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge