

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11120 of 2021

Birupaskha Panda @ Biru* *Petitioner

Mr.B.K. Ragada, Advocate

-versus-

State of Odisha* *Opp. Party

*Mrs.Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
20.12.2022**

Order No.

03. 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. in connection with S.T. Case No.117 of 2017 arising out of Hirakud P.S. Case No.02 of 2019 pending in the Court of learned Sessions Judge, Sambalpur for offence punishable under section 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody on 06.01.2017 and the petitioner was granted interim bail twice for a period of three months each in BLAPL

No. 8745 of 2019 and BLAPL No. 1575 of 2021 respectively and after availing the interim bail periods, he surrendered at right time and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Perused the status report dated 09.12.2022 furnished by the learned trial Court which indicates that, out of twenty charge sheet witnesses, only ten witnesses have been examined in the learned trial Court.

Considering the submissions made by the learned counsel for the respective parties, the conduct of the petitioner in complying with the earlier orders of interim bail granted by this Court and the slow progress of trial, while not inclining to release the petitioner on bail on merit, I am inclined to release the petitioner on interim bail for a period of three months from the date of release and the petitioner shall surrender before the learned trial Court immediately on expiry of the three months period.

For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing 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

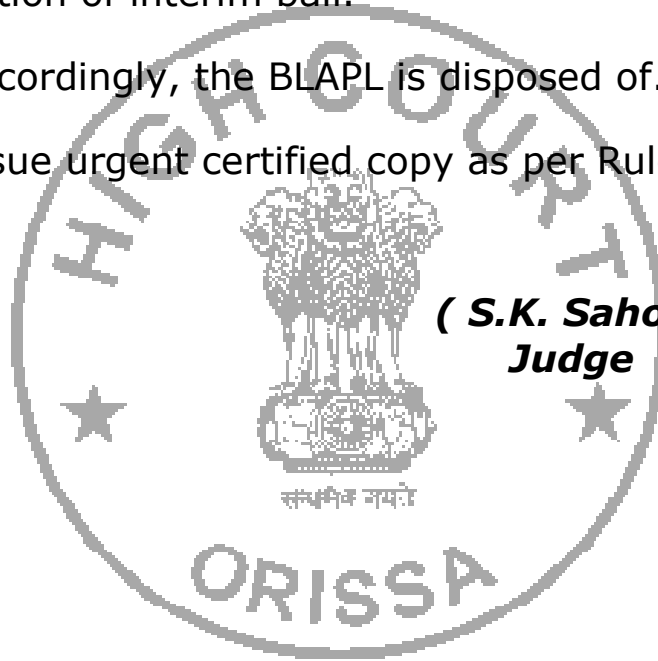
seisin over the matter with further terms and conditions that while on interim bail, the petitioner shall not try to come in contact with any of the prosecution witnesses or tamper with the evidence, he shall not indulge in any criminal activities and he shall appear before the learned trial Court on each date on which the date would be fixed for trial during the period of interim bail.

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

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge



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