

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No. 369 of 2022

Sankar Naik

....

Petitioner

Mr. A.K. Mishra 3, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
20.12.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. This CRLMA has been filed for modification of order dated 24.11.2022 passed by the learned Sessions Judge Nayagarh in B.A. No.558 of 2022.
3. The petitioner is an accused in S.T. No.234 of 2022 on the file of the learned Asst. Sessions Judge (Women's Court), Nayagarh.
4. It is submitted that though the petitioner has been directed to be released on bail on 24.11.2022 by the learned Sessions Judge Nayagarh, as the petitioner is not able to satisfy one of the condition i.e, one of the sureties must be family member of the accused, the petitioner is still in custody.
5. Prima facie this Court does not find any infirmity in the order passed taking into account the nature of allegation.
6. Since the petitioner is still in custody in spite of the order dated 24.11.2022, the condition relating to one of the sureties being

family member of the accused stands modified to subserve the ends of justice. It shall be open to the petitioner to furnish two **local** solvent sureties to the satisfaction of the learned Asst. Sessions Judge (Women's Court) Nayagarh in S.T. No.234 of 2022.

7. The condition relating to one of the sureties being family member of the accused prescribed by the learned Sessions Judge, Nayagarh, stands modified accordingly.

8. The other conditions remain unaltered.

9. Accordingly the CRLMA stand disposed of.

10. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge



Santoshi