

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11376 of 2021

Raju @ Rajendra Bisoyi

....

Petitioner

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Nayak, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

05.05.2022

Order No.

I.A. No.707 of 2022

05. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Mr.Jugal Kishore Panda, learned counsel has entered appearance for the Informant and files Vakalatname in Court today, which is taken on record.
3. Heard learned counsel for the Petitioner, learned counsel for the State and learned counsel for the Informant.
4. This is an application for further extension of time to surrender before the trial court.
5. Earlier the Petitioner had moved for interim bail on the ground that his son was seriously ill, who requires urgent surgical intervention. This Court vide order dated 27.01.2022 had granted interim bail to the Petitioner for a period of four weeks. Thereafter, the period of interim bail was further extended for a period of four weeks by this Court. Again Petitioner filed I.A. No.707/2022 seeking further extension of time of interim bail for a period of two

months on the ground that his wife is seriously ill, who has been admitted in the Hospital. In this regard, learned counsel for the Petitioner has appended a prescription of the treating doctor-Dr. Anuradha, Mishra, MBBS, MD (O&G), Berhampur, who has opined that the wife of the Petitioner is suffering from Ovarian Tumor and she requires immediate admission and surgical intervention, Accordingly, learned counsel for the Petitioner has filed the present I.A. It is submitted by learned counsel for the Petitioner that he has no intention to avoid surrounding before the trial court.

6. On a perusal of the documents, which is a prescription filed along with the I.A., it is revealed that the wife of the present Petitioner, namely, Manjari Bisoyi has been under the treatment of Dr. Anuradha Mishra, MBBS, MD(O&G), Berhampur, who had opined in her prescription dated 1.5.2022 that she is suffering from Ovarian Tumor, who requires immediate hospitalization and surgical intervention.

7. Considering the aforesaid facts, this Court is inclined to extend the interim release of the Petitioner for a further period of four weeks. However, Petitioner is directed to surrender immediately after completion of the period of interim bail before the court in seisin of the matter. In the event, Petitioner fails to surrender before the court in seisin over the matter by 06.06.2022, it is open to the court below to issue NBW(A) against the Petitioner and take him into custody.

8. With the above direction, the I.A. stands allowed.

9. Issue urgent certified copy in course of the day.

(A.K. Mohapatra)
Judge