

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.11433 of 2021**

**Debajeet @ Debdeep** .... **Petitioner**  
**Panda**

*Mr. B.S. Mishra, Advocate*

*-versus-*

**State of Odisha** .... **Opp. Party**

*Mr. J.P. Patra,*  
*Addl. Standing Counsel*

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

**ORDER**  
**31.03.2022**

**Order No.**

01. This matter is taken up through Hybrid arrangement (video conferencing/physical Mode).

Heard learned counsel for the petitioner and the learned counsel for the State.

This is an application for bail under section 439 of Cr.P.C. in connection with S.T. Case No.58 of 2020 arising out of Dhamnagar P.S. Case No.101 of 2020 pending in the Court of learned Addl. Sessions Judge, Bhadrak for alleged commission of offences punishable under sections 498-A, 302, 304-B/34 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

The petitioner moved an application for bail before the Court of learned Addl. Sessions Judge, Bhadrak, which was rejected on 09.12.2021.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 20.04.2020 and when he approached this Court last time for bail in BLAPL No. 3523 of 2021, this Court as per order dated 29.06.2021, while rejecting the bail application observed that the petitioner is at liberty to renew the prayer for bail after examination of the material witnesses in the learned trial Court. It is submitted that in the meantime three witnesses have been examined in the learned trial Court and they have not stated anything against the petitioner and therefore, the bail application of the petitioner may be favourably reconsidered.

Learned counsel for the State, on the other hand, submitted that two material witnesses, who are yet to be examined, are Swarnalata Sarangi and Pritam Kumar Sarangi.

Learned counsel for the petitioner at this stage submitted that the informant Swarnalata Sarangi has challenged the framing of charge before this Court in CRLREV No.426 of 2021 and this Court vide order dated 05.11.2021 has stayed the further proceedings of the trial. Copy of the order dated 05.11.2021 passed in the said CRLREV filed by the learned counsel for the petitioner is taken on record.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the fact that the trial has been stayed by this Court at the instance of the informant, 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.

For the above period, let the petitioner be released on interim bail in connection with 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 as the learned Court may deem just and proper including the conditions that while on interim bail, the petitioner shall not tamper with the prosecution witnesses and shall not indulge in any criminal activities. Violation of any of the conditions shall entail cancellation of bail.

Accordingly, the BLAPL is disposed of.

Registry shall take steps for listing CRLREV No. 426 of 2021 before the assigned Bench for expeditious disposal.

Issue urgent certified copy of this order on proper application.

सत्यमेव जयते

( **S.K. Sahoo** )  
**Judge**  
**ORISSA**

PKSahoo