

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11545 of 2021

Rajkishore Sethi

.... ***Petitioner***
Mr. S. Satapathy, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S.N. Das, A.S.C.

**CORAM:
JUSTICE G. SATAPATHY**

ORDER

29.08.2022

Order No.

- 02.
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 Baliana P.S. Case No.17 of 2013 corresponding to C.T. Case No. 289 of 2013 pending in the Court of learned Ad-hoc Addl. Sessions Judge Fast Track Spl. Court (POCSO), Bhubaneswar for commission of offences punishable under Sections 376(D) of I.P.C.
 3. In the course of hearing of the bail application, learned counsel for the petitioner submits that the petitioner was granted bail earlier on 15.01.2014 and he having not attended the Court on 10.03.2015 NBW(A) was issued against the petitioner and after knowing the fact of issuance of NBW against him, the petitioner voluntarily surrendered in Court on 20.12.2021 and since then he is inside custody. On these grounds, learned counsel for the petitioner submits to enlarge the petitioner on bail.
 4. Learned counsel for the State on the other hand does not dispute about the submission advanced on behalf of the petitioner but

he, however, opposes the bail application of the petitioner on the ground that the petitioner will misuse the liberty by remaining absent in the trial Court.

5. Considering the nature and gravity of the allegation and keeping in view the release of the petitioner earlier on bail and taking into consideration the surrender of the petitioner in the Court on 20.12.2021 and the petitioner having detained in custody after surrender in pursuance to NBW(A) issued against him for default in attending the Court, this Court considers the bail application of the petitioner leniently.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bond of Rs.25,000/- 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 trial without fail unless his attendance is dispensed with by the learned trial Court and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

7. Accordingly, the BLAPL stands disposed of.

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

(G. Satapathy)
Judge

Subhasmita