

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.11576 OF 2021

Subash Mallik

.... ***Petitioner***
Mr. B. Jalli, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Ms. Samapika Mishra, ASC.

CORAM:
MR. JUSTICE D.DASH

ORDER
31.01.2022

Order No.

01. 1. This matter is taken up by video conferencing mode.
2. The Petitioner being in custody in connection with Delanga P.S. Case No.95 of 2005 corresponding to S.T. Case No.8/79 of 2021 arising out of G.R. Case No.317(C) of 2005 on the file of learned 1st Addl. District & Sessions Judge, Puri running for commission of offence under section - 294/302/34/34 of the IPC read with section-27 of the Arms Act & section-9(b) of Indian Explosive Substance Act, has filed this application under section 439 of the Cr.P.C. for his release on bail.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Taking into account the submissions made; further keeping in view the materials on records as those stand against the Petitioner with other surrounding circumstances including the period of detention of the Petitioner in custody and in the

absence of any such impediment; while being inclined to grant bail to the Petitioner in the aforesaid case; it is directed that the Petitioner be released on bail on such terms and conditions as deemed just and proper by the Court in seisin of the case with further conditions that:-

1. he will appear in person before the court in seisin of the case on each date of posting of the case without fail during the period;
2. will not leave the jurisdiction of the Court in seisin of the case till conclusion of the trial; and
3. will not indulge himself in any criminal activity.

Violation of any of the condition/s shall entail cancellation of bail.

5. The BLAPL is accordingly disposed of.
6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned Counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 as modified by Court's Notice No.4798 dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(D.Dash)
Judge