



IN THE HIGH COURT OF ORISSA AT CUTTACK

G.A. No.17 of 1996

State of Orissa

...

Appellant

Mr. T.K. Praharaj, SC

-versus-

Raju @ Rajendra Nag & Others ...

Respondents

Mr. Priya Ranjan Sing (R.3)

**CORAM:
JUSTICE G. SATAPATHY**

ORDER(ORAL)

26.07.2024

Order No.

I.A. No.01 of 2024 (URGENT)

08.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application for grant of bail to Respondent No.3 in the Govt. Appeal namely, Gopal Das, who has been apprehended pursuant to the NBWAs issued against him and other respondents in connection with this Govt. Appeal against acquittal of the respondents as recorded by learned Addl. Sessions Judge, Rourkela in S.T. Case No.50/16 of 1993.
3. Heard, Mr. Priya Ranjan Singh, learned counsel for Respondent No.3 and Mr. T.K. Praharaj, learned Standing Counsel for the appellant in the matter and perused the record.
4. It appears from the record that the present Respondent No.3-Gopal Das was taken into custody on 12.03.2024 and produced before the learned 1st



Addl. Sessions Judge, Rourkela in-charge in S.T. Case No.50/16 of 1993 corresponding to G.R. Case No.1400 of 1992 arising out of Biramitrapur P.S. Case No.117 of 1992, but Respondent No.3 along with other respondents were acquitted in such case by learned Addl. Sessions Judge, Rourkela. However, the Government preferred an appeal which came to be registered as G.A. No.17 of 1996. While admitting the Government Appeal, this Court by an order passed on 30.01.1996, issued warrant of arrest against the respondents to be produced before the learned Addl. Sessions Judge, Rourkela, who shall release the respondents on bail on their furnishing bond of Rs.10,000/-(Rupees Ten Thousand) each with one surety for the like amount.

5. It, however, appears from the admitted submissions of the learned counsel for the parties that the learned Addl. Sessions Judge, Rourkela was not informed about the aforesaid order, when the Respondent No.3 was taken into custody.

6. Be that as it may, since this is a Govt. Appeal against the acquittal and this Court has already directed for release of the respondents on bail on their production before the learned Addl. Sessions Judge, Rourkela pursuant to the warrant of arrest issued against them, this Court allows the application of the Respondent No.3-Gopal Das and accordingly, directs the immediate release of Respondent No.3 on



bail on his executing a bond of Rs.10,000/- (Rupees Ten Thousand) only with one solvent surety.

6. Further, DR (Judicial) is requested to ensure sending a copy of this order today to the learned 1st Addl. Sessions Judge, Rourkela by enclosing the copy of the order No.4 dated 30.01.1996 passed by this Court in G.A. No. 17 of 1996 through e-Mail or other modes of communication for immediate release of the Respondent No.3 on bail. The learned 1st Addl. Sessions Judge, Rourkela in seisin of the file is also requested to place the aforesaid order dated 30.01.1996 passed by this Court on the front of the file so that the other respondents can avail the benefit of this order to avoid illegal confinement.

7. Accordingly, the I.A. stands disposed of.

Issue urgent certified copy of this order in course of the day.

(G. Satapathy)
Judge

G.A. No.17 of 1996

09. 1. List this matter on 29th July, 2024.

(G. Satapathy)
Judge