



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No. 660 of 2012

Turam Munda

....

***Appellant/
Petitioner***

*Mr.Chitta Ranjan Sahu,
Advocate*

-versus-

State of Odisha

....

***Respondent/
Opp. Party***

*Mr. Sarat Pradhan,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

JUSTICE CHITTARANJAN DASH

ORDER

12.11.2024

Order No.

I.A. No. 281 of 2024

08. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Perused the prisoner's petition at Flag 'B' wherein prayer has been made for engagement of Mr. Chitta Ranjan Sahu as his counsel.

Prayer is accepted.

Let Mr. Sahu file Vakalatname within a period of two weeks.

This is an application under section 374(2) of the Cr.P.C. for grant of bail filed by appellant-petitioner Turam



Munda.

The appellant-petitioner has been convicted under section 302 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs.20,000/- (rupees twenty thousand), in default, to undergo rigorous imprisonment for a further period of one year by the learned Adhoc Additional Sessions Judge, Fast Track Court, Keonjhar vide judgment and order dated 17.11.2012 passed in Sessions Trial case No.6/259 of 2012-11.

Learned counsel for the appellant/petitioner submitted that the petitioner is in judicial custody since 08.07.2020 and his earlier bail application was rejected by this Court on 13.01.2020 and since he has remained in custody for more than thirteen years and there is no chance of early hearing of the appeal in the near future and therefore, the petitioner's bail application may be favourably reconsidered.

Learned counsel of the State opposed the prayer for bail and placed the evidence of P.W.11 and P.W.16 so also the doctor (P.W.1), who conducted the post-mortem examination.

Considering the submissions made by the learned counsel for the respective parties, the nature of evidence available on record, the sentence imposed by the learned trial Court and the period already undergone by the petitioner, while not inclining to release the petitioner on bail on merit, but taking into account his period of detention in judicial custody and absence of any chance of early hearing of the appeal in the near future and keeping in view the ratio



laid down in the case of **Leti @ Jayadeb Roy and another - Vrs.- The State** reported in (1990) 3 Orissa Criminal Reports 427, we are inclined to release the petitioner on interim bail for a period of three months from the date of release and the petitioner shall surrender before the learned trial Court immediately on expiry of the three months period.

For the above period, let the appellant-petitioner Turam Munda be released on interim bail in 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 trial Court subject to condition that he shall not indulge in any criminal activities in any manner.

Violation of any of the conditions shall entail cancellation of interim bail.

Learned counsel for the State shall produce the report from the Inspector in-charge of Ghatagaon police station regarding the conduct of the petitioner while on interim bail.

The I.A. is disposed of accordingly.

A free copy of the order be handed over to the learned counsel for the State.

(S.K. Sahoo)
Judge

(Chittaranjan Dash)
Judge

P.T.O



Misc. Case No. 1746 of 2012

09. This is an application for stay of realization of fine.
Heard.

There shall be stay of realization of fine amount imposed on the appellant-petitioner by the learned Adhoc Additional Sessions Judge, Fast Track Court, Keonjhar vide judgment and order dated 17.11.2012 passed in Sessions Trial Case No.6/259 of 2012-11 pending disposal of the criminal appeal.

The I.A. is disposed of.

Issue certified copy as per rules.

(S.K. Sahoo)
Judge

(Chittaranjan Dash)
Judge

PKSahoo/Rajesh