



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.145 of 2019

**Krushna Chandra
Panigrahi**

....

**Appellant/
Petitioner**

Mr. Shyam Manohar, Advocate

-versus-

State of Odisha

....

**Respondent/
Opp. Party**

*Mr. P.S. Nayak,
Addl. Government Advocate*

CORAM:

THE HON'BLE MR. JUSTICE S.K. SAHOO

THE HON'BLE MR. JUSTICE S.S. MISHRA

ORDER

19.09.2025

Order No.

I.A. No.443 of 2019

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

This is an application under section 389 of Cr.P.C. for grant of bail.

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

Perused the impugned judgment.

The appellant-petitioner has been convicted for commission of the offences punishable under section 302 of the Indian Penal Code and section 4 of the D.P. Act and sentenced to undergo imprisonment for life



and to pay a fine of Rs.20,000/- (rupees twenty thousand), in default, to undergo further R.I. for a period of one year for the offence under section 302 of the Indian Penal Code and S.I. for a period of one year and to pay a fine of Rs.5,000/- (rupees five thousand), in default, to undergo further S.I. for a period of three months for the offence under section 4 of the D.P. Act and both the sentences were directed to run concurrently by the learned Additional Sessions Judge, Gunupur in Criminal Trial No.95 of 2016.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody for more than nine years, which would be evident from the custody certificate of the Senior Superintendent of Circle Jail, Koraput dated 04.08.2025, wherein it is mentioned that the petitioner's conduct in jail was good. Learned counsel further submitted that the petitioner was granted interim bail as per order dated 25.09.2020 for a period of twenty one days and he surrendered at right time after availing the interim bail period. Learned counsel further submitted that the case is based on circumstantial evidence and there are good chances of success in the appeal and balance of convenience is in favour of the petitioner and since there is no chance of early hearing of the appeal in the near future, the bail application of the petitioner



may be favourably considered.

Learned counsel for the State, on the other hand, opposed the prayer for bail and argued that the petitioner is the husband of the deceased and when the deceased was shifted to the hospital, the family members arrived there and they found injury around the neck of the deceased and P.W.1, the father of the deceased so also P.W.7 has deposed to in that respect. Learned counsel further argued that the doctor (P.W.10), who conducted post mortem examination also found injuries like abrasions and scratch mark on chin and neck of the body of the deceased and opined that the cause of death was due to asphyxia. Learned counsel further argued that the petitioner was staying in the company of the deceased at the time of occurrence and no explanation has been offered by him in the statement recorded under section 313 of Cr.P.C. as to how the deceased sustained such injuries.

Considering the submissions made by the learned counsel for the respective parties, in view of the nature of evidence available on record and the post mortem report findings, while not inclining to release the petitioner on bail on merit, but taking into account his period of detention in judicial custody for more than nine years and absence of any chance of



early hearing of the appeal in the near future, we are inclined to release the petitioner on interim bail for a period of three months from the date of release. 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 be released on interim bail in the aforesaid case on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with one local solvent surety for the like amount to the satisfaction of the learned trial Court subject to condition that he shall not indulge in any criminal activities while on interim bail.

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 Padmapur police station regarding the conduct of the petitioner while on interim bail.

The I.A. is accordingly disposed of.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge



CRLA No.145 of 2019

10. List this matter in the week commencing from 05.01.2026. Learned counsel for the appellant shall produce the surrender certificate of the appellant on the next date.

The name of Mr. Tukuna Kumar Mishra, learned counsel shall not be reflected in the cause list henceforth.

Urgent certified copy of this order be granted as per rules.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge

RKM