

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.248 of 2022

Papun @ Bikam Keshari Appellant
Barik

Mr. P.C. Jena, Advocate.

-versus-

State of Odisha Respondent

Mr. Priyabrata Tripathy,
Additional Standing Counsel.

CORAM:
JUSTICE S.K. SAHOO

ORDER
12.12.2023

I.A. No.506 of 2022

Order No.

02.

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

This is an application for bail.

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

Learned counsel for the State has produced the surrender certificate of the petitioner which is taken on record.

The appellant-petitioner has been convicted under section 376-D of the I.P.C. read with section 6 of the POCSO Act and sentenced to undergo R.I. for a period of twenty years and to pay a fine of Rs.25,000/- (rupees twenty five thousand), in default, to undergo further R.I. for a period of one year for the offence under Section 6

of the POCSO Act by the learned Additional Sessions Judge – cum- Special Court under POCSO Act, Berhampur in G.R. Case No.110 of 2017/ T.R. No.74 of 2021.

From the surrender certificate, it appears that the petitioner is in judicial custody for more than six years.

In view of the nature of evidence available on record against the petitioner, while not inclining to release the petitioner on bail on merit, but taking into the period of detention of the petitioner in judicial custody, absence of chance of early hearing of the appeal in the near future and the petitioner is a local man, I am inclined to release him on interim bail for a period of three months from the date of release. The petitioner shall immediately surrender before the learned Court below on expiry of the said three months period.

For the above period, let the petitioner be released on interim bail to the satisfaction of the learned trial Court in connection with 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 Court in seisin over the matter including the conditions that the petitioner shall not indulge in any criminal activities. Violation of any of the conditions shall entail cancellation of bail.

The I.A. is disposed of accordingly.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)

amit

Judge

