

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.372 of 2019

Kanta Bag @ Keut **Appellant/
Petitioner**

Mr. G.N. Sahu, Advocate.

-versus-

State of Odisha **Respondent/
Opp.Party**

*Mr. Priyabrata Tripathy,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
17.10.2023
I.A. No.2041 of 2023**

Order No.

13

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.

The appellant-petitioner has been convicted under section 376(2)(n) of the I.P.C. and sentenced to undergo R.I. for a period of ten years and to pay a fine of Rs.5,000/- (rupees five thousand), in default, to undergo R.I. for a period of six months by the learned Addl. Sessions Judge – cum- Special Judge, Nuapada in S.A. No.91 of 2017.

Learned counsel for the petitioner submitted that

earlier the petitioner was granted interim bail for a period of three months as per order dated 03.01.2023 passed in I.A. no.1798 of 2022 and after availing the same, he has surrendered before the learned trial Court at right time and he has already undergone half of the substantive sentence imposed by the learned trial Court and even though the paper book is ready, but the appeal is not being taken up for hearing and therefore, the petitioner may be granted interim bail for some period.

Learned counsel for the State has no serious objection to such prayer.

Considering the submissions made by the learned counsel for the respective parties, the averments taken in the interim application and the fact the petitioner has already undergone half of the substantive sentence, 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)
Judge**

CRLA No.372 of 2019

14. List this matter in the week commencing from 22nd January 2024.

Learned counsel for the appellant shall file the surrender certificate of the appellant in the meantime.

**(S.K. Sahoo)
Judge**



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