

Misc. Case No.1406 of 2016

14. 05.10.2016

This matter was not in todays list. On being mentioned, the case record was called for and taken up today.

It is stated that on 6th October, 2016, there is going to be 40th day death function of the deceased for which appellants presence is necessary.

Learned Additional Government Advocate have got serious objection to the submission made by the learned counsel for the appellant

In view of aforesaid, we are of the opinion that let the appellant be taken out of jail from police custody and be allowed to participate in the 40th day death ceremony of his father and then re-lodged in jail on the same day.

Having an opinion as aforesaid, we direct the present appellant Sk. Rahul @ Rahul @ Sk. Saheed to be taken out on parole/interim bail from jail on 6th October, 2016 in police custody to participate in the 40th day death ceremony of his father. Appellant shall be brought out from jail in police custody. He is permitted to participate in the 40th day death ceremony of his late father and then after the ceremony is over, he is directed to be re-lodged in jail. The matter is directed to come up on Board again on 17th October, 2016 when an affidavit shall be filed by the State regarding compliance of the order.

The Misc. Case is disposed of.

Free copy of this order be supplied to Mr. J. Katikia, learned Additional Government Advocate for communication and compliance.

Issue urgent certified copy of this order as per rules.

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Vinod Prasad, J.

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K.R. Mohapatra, J.