



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.417 of 2019

1. Santosh Biswal
2. Surendra Kumar Dash
3. Krushna Behera
4. Manoj Kumar Sahu **Appellants/
Petitioners**

*Mr. Pulakesh Mohanty, Advocate
for appellant no.2*

*Mr. S.S. Mohanty, Advocate for
appellant no.3*

*Mr. J.K. Panda, Advocate for
appellant no.4*

-versus-

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

*Mr. Sarat Pradhan,
Addl. Standing Counsel*

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

**ORDER
10.01.2025**

Order No.

I.A. No.2958 of 2024

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

This is an application filed by the appellant no.4-petitioner for bail.

The appellant no.4-petitioner, namely, Manoj Kumar Sahu has been convicted under sections 376D and 506/34 of the Indian Penal Code and sentenced to



undergo R.I. for a period of twenty years and to pay a fine of Rs.30,000/- (rupees thirty thousand), in default, to undergo R.I. for a period of six months for the offence under section 376D of the Indian Penal Code and R.I. for a period of two years for the offence under section 506/34 of the Indian Penal Code and both the substantive sentences were directed to run concurrently by the learned Additional Sessions Judge, Chatrapur in Sessions Trial No.398 of 2013.

Learned counsel for the petitioner submitted that the bail application of the petitioner was earlier rejected by this Court vide order dated 25.01.2021, however liberty was granted to the petitioner to renew the prayer for bail, if the appeal is not ready for hearing even after the appellants have undergone half of the substantive sentence. Learned counsel further submitted that out of twenty years of substantive sentence imposed by the learned trial Court, the petitioner has already undergone almost eleven years and though the paper book has been prepared, but there is no chance of early hearing of the appeal in the near future and the petitioner is a local man and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail and placed the evidence of the victim.

Considering the submissions made by the learned counsel for the respective parties and in view of the



materials available on record, particularly, the statement of the victim, while not inclining to release the petitioner on bail on merit, but taking into account that the petitioner has already undergone half of the substantive sentence and absence of any chance of early hearing of the appeal in the near future, 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 appellant no.4-petitioner, namely, Manoj Kumar Sahu 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.20,000/-(rupees twenty thousand) with one local solvent surety for the like amount to the satisfaction of the learned Court in seisin over the matter including the conditions that the petitioner shall not come in contact with the victim or any prosecution witnesses and shall not indulge in any criminal activities.

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

The I.A. is disposed of accordingly.

(S.K. Sahoo)
Judge



I.A. No.3369 of 2024

29. This is an application filed by the appellant no.2-petitioner, namely, Surendra Kumar Dash for bail.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody for about eleven years and he may be given some time to produce the custody certificate of the petitioner.

List this matter on 24.01.2025.

(S.K. Sahoo)
Judge

I.A. No.133 of 2025

30. This is an application filed by the appellant no.3-petitioner, namely, Krushna Behera for bail.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody for about eleven years and he may be given some time to produce the custody certificate of the petitioner.

List this matter on 24.01.2025.

(S.K. Sahoo)
Judge

CRLA No.417 of 2019

31. List this matter in the week commencing from 29.04.2025. Learned counsel for the appellant no.4



shall produce the surrender certificate of the appellant no.4 Manoj Kumar Sahu on the next date.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM