

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.616 of 2018

Bindu Nag & Another

Appellants

Mr.B.S. Dasparida, Advocate

-versus-

State of Odisha

...

Respondent

Mr. S.K. Nayak, AGA

CORAM:

MR. JUSTICE D.DASH

DR. JUSTICE S.K.PANIGRAHI

ORDER

12.07.2023

Order No.

CRLA No.616 of 2018

07. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. None appears on behalf of the Appellant No.1 when the matter is called. This was also the situation on the last occasion.
3. In the above state of affair, we hereby appoint Mr. B.S. Dasparida as the State Defence Counsel, who would argue on behalf of the Appellant No. 1.
4. List this matter on 25th September, 2023 for final hearing.

***(D. Dash),
Judge***

***(Dr.S.K.Panigrahi)
Judge***

ORDER

12.07.2023

I.A. No.1517 of 2018

Order No.

07. 1. This is an application under section 389 Cr.P.C. for suspension of execution of sentence imposed upon the Appellant

No.2, namely, Premananda @ Paramananda Dandsena, by the Trial Court while convicting him for the offence under sections 302/201 IPC and his release on bail pending disposal of this Appeal.

2. Heard Mr.Dasparida, learned counsel for the Appellant No.2 and Mr. Nayak, learned Additional Government Advocate for the Respondent.

3. Taking into account the submissions made and on going through the impugned judgment of conviction further keeping in view the fact that the case is based on circumstantial evidence, which are said to be not completing the chain on being joined together as well as the surrounding circumstances including the period of detention of the Appellant No.2 in custody; We are inclined to direct that further execution of sentence imposed upon this Appellant No.1 in C.T. Case No.53 of 2015 passed by the learned Additional Sessions Judge, Padampur shall remain suspended and he be released on bail pending disposal of this Appeal.

Accordingly, it is directed that the Appellant No.2 (Premananda @ Paramananda Dandsena) be released on bail pending disposal of this Appeal on such terms and conditions as deemed just and proper by the Trial Court with further condition that the Appellant shall positively surrender before the Trial Court as and when so required.

The I.A. is accordingly disposed of.

(D. Dash),
Judge

(Dr.S.K.Panigrahi)
Judge