



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLREV No.501 of 2024

Mohammed Chawani

.... *Petitioner*

Represented By Adv.

Mr. Bidyalok Mohapatra

-versus-

State of Odisha

.... *Opposite Party*

Represented By AGA

Mr. D. Mund

CORAM:

DR. JUSTICE S.K. PANIGRAHI

ORDER

20.09.2024

Order

No.

01. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. Admit.
4. Call for the L.C.R.
5. Issue notice.
6. Learned counsel for the State accepts notice on behalf of the sole Opposite Party. An extra copy of the CRLREV be served on the learned counsel for the State to take instructions in the matter.
7. List this matter on 24th December, 2024.



I.A. No.818 of 2024

8. This I.A. is filed for dispensing with filing of certified copy of the order dated 25.07.2023 and 30.07.2024 at Annexure-1 and Annexure-2 respectively.

9. Considering the reasons stated in this I.A., filing of certified copy of the order dated 25.07.2023 and 30.07.2024 at Annexure-1 and Annexure-2 respectively stands dispensed with for the time being.

10. I.A. stands disposed of.

I.A. No.815 of 2024

11. Heard.

12. This I.A. has been filed by the Petitioner for release on bail in G.R. Case No.1495 of 2020/T. R. Case No.04 of 2021 of the court of the learned S.D.J.M., Angul.

13. It appears that the Petitioner has been convicted and sentenced to undergo R.I. for three years for the offence punishable under Section 380/511/34 of I.P.C. and to pay a fine of Rs.10,000/- only, in default to suffer further R.I. for one year. Further, he is sentenced to undergo R.I. for two years for the offence punishable under Section 427, 34 of I.P.C. vide judgment dated 25.07.2023 passed by the learned S.D.J.M., Angul in G.R. Case No.1495 of 2020/T.R.



Case No.04 of 2021 and it was further directed that the sentences are to run consecutively.

14. Learned counsel for the Petitioner submits that the Petitioner is in custody since 20.08.2020, which is about four years.

15. Considering the submissions made and on going through the judgment passed by the trial court and keeping in view the role said to have been played by the Petitioner and the manner in which the incident had taken place, this Court is not inclined to grant bail to the Petitioner. However, considering the incarceration in jail custody by the Petitioner for a substantial period of four years, this Court is inclined to grant interim bail to the Petitioner for a period of three months from the date of his actual release from custody. Accordingly, it is directed that the Petitioner be released on interim bail in the aforesaid case for a period of three months reckoning from the date of his actual release from custody by furnishing cash security of Rs.10,000/- (Rupees Ten Thousand) with two local sureties each of the like amount to the satisfaction of the learned trial court with further conditions that the Petitioner shall positively surrender



before the trial court on expiry of the period of the interim bail.

16. The I.A. is disposed of, accordingly.

I.A. No.813 of 2024

17. Heard.

18. Realization of fine amount shall remain stayed till disposal of the revision.

19. The I.A. is disposed of.

(Dr. S.K. Panigrahi)
Judge

Sumitra

Signature Not Verified

Digitally Signed
Signed by: SUMITRA NAYAK
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 20-Sep-2024 18:03:12

