



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.1020 of 2022

1) Udit Singh

....

Appellants

2) Dasaratha Singh

Represented By Adv. –

3) Suraj Singh

Mr. Soura Chandra

4) Jitu Singh

Mohapatra, Sr. Advocate

5) Pinaki Singh

6) Bapi Singh@ Lala

7) Balaram Singh@ Bulu

8) Tulu Singh

9) Bhagirathi Singh@ Binay

10) Sangram Singh@ Birsa

11) Bhoju Badaik

-versus-

State Of Odisha

.....

Respondent

Represented By Adv.

Mr. S.K. Nayak, AGA

CORAM:

THE HON'BLE MR. JUSTICE D.DASH

AND

THE HON'BLE MR. JUSTICE V. NARASINGH

ORDER

20.05.2024

I.A. No.1929 of 2022

Order No.

05. 1. This is an application under section 389 Cr.P.C. for suspension of execution of sentence imposed upon the Appellant Nos.1 to 11, by the Trial Court while convicting them for the offence under sections 302/148/149/506/34 of the Indian Penal Code read with section 4(2) of the Odisha Prevention of Witch Hunting Act, 2013 and their release on bail pending disposal of this Appeal.



2. Heard Mr.S.C. Mohapatra, learned Senior Counsel for the Appellants and Mr. S.K. Nayak, learned Additional Government Advocate.

3. Taking into account the submissions made and on going through the judgment passed by the Trial Court including the depositions of the prosecution witnesses, further keeping in view the role said to have been played by these Appellants and the manner in which the incident had taken place as emerge from the evidence; at this stage, we are not inclined to direct for suspension of further execution of the sentence and grant them bail pending disposal of this Appeal. However, considering the fact that the Appellants are in custody for a quite some time by now; we direct that the Appellants, except Appellant No.11, namely, Bhoju Badaik, be released on interim bail for a period of eight (8) weeks from the date of their actual release from custody in connection with Sessions Trial No.79 of 2018 by the learned First Additional Sessions Judge, Rourkela, Dist- Sundargarh on such terms and conditions as deemed just and proper by the Trial Court with further conditions that the said Appellants shall not indulge themselves in any criminal activity during the period of interim bail and shall positively surrender before the Trial Court as would be so directed by the said Court on expiry of period of interim bail.

4. The I.A. is accordingly disposed of.

Issue urgent certified copy as per rules.

(D. Dash),
Judge

(V. Narasingh)
Judge



ORDER

20.05.2024

Order
No.

CRLA No.1020 of 2022

05. 1. List this Appeal along with CRLA No.1022 of 2022 on 12th August, 2024 for hearing.

(D. Dash),
Judge

(V. Narasingh)
Judge

Himansu

Signature Not Verified

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