



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMA No.192 of 2025

Manoj Sutar

...

Petitioner

Mr. D.K. Panda, Advocate

-versus-

State of Odisha

...

Opposite Party

Mr. R.B. Mishra, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL) : 24.03.2026

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application stated to have been filed U/S.389 of CrPC, but CrPC having already been repealed, however, the petitioner in this application seeks to challenge the impugned order passed on 11.12.2025 in Criminal Appeal No. 05 of 2025 by which the learned Addl. Sessions Judge-cum-Special Judge, Malkangiri has refused to grant bail to the petitioner after his conviction in an application U/S.430 of the BNSS seeking suspension of sentence.
3. Heard, Mr. Deepak Kumar Panda, learned counsel for the petitioner and Mr. R.B. Mishra, learned Addl. PP in the matter and perused the record.
4. It is not in dispute that the present petitioner has been convicted for commission of offences punishable U/S. 420 of IPC and is accordingly, sentenced by the learned trial Court to undergo Simple Imprisonment (SI) for two years with fine of Rs.10,000/-, in default whereof to under SI for one month, but the petitioner during trial although was granted bail by a co-ordinate Bench of this



Court on 27.11.2024 in BLAPL No. 11173 of 2024, however, he had not availed the bail. It is also found from the impugned judgment of conviction of the petitioner that he was already in custody for 243 days as on the date of judgment passed by the learned trial Court on 15.05.2025 and in the meantime, another ten months has elapsed and thereby, the petitioner has already undergone more than half of his sentence. It is no doubt claimed by the learned State counsel that the petitioner is having past conviction for similar offences, but the appeal challenging the conviction of the petitioner having not yet been heard, even after more than half of the sentence undergone by the petitioner, this Court considers that the petitioner should be admitted to bail.

5. Accordingly, the CRLMA stands allowed and the Petitioner is allowed to go on bail pending disposal of the appeal on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) only with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case and his sentence be accordingly suspended.

(G. Satapathy)
Judge