

(2024) 01 OHC CK 0163

In the Orissa High Court

Case No : Criminal Appeal No. 1395 Of 2023

Kailash Chandra Panda @ Kailash Panda Vs State Of Odisha ?

Date of Decision : 18-01-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 34, 294, 302, 323, 363, 376(2)(n)

Citation : (2024) 01 OHC CK 0163

Hon'ble Judges : Sashikanta Mishra, J

Bench : Single Bench

Advocate : D.K. Sahoo

Final Decision : Disposed Of

Judgement

Sashikanta Mishra, J

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the appellant and learned Addl. Standing Counsel for the State.
3. The appellant is in custody in connection with Pattamundai P.S. Case No.728 of 2021 corresponding to T.R. Case No.159 of 2021 pending in the Court of learned Addl. District & Sessions Judge-cum-Special Judge, (POCSO), Kendrapara for the alleged commission of offence under Sections 363/294/323/376(2)(n)/302/201/34 of IPC read with Sections 3(1)(r)/3(1)(s)/3(2)(va) of SC & ST Act.
4. Learned State Counsel has obtained instructions. It has been ascertained that the father of the appellant has been suffering from numerous diseases and is unable to move despite being bedridden.
5. Having regard to the submissions as above, I am inclined to take a lenient view. The CRLA is disposed of directing the Court below to release the appellant on interim bail for a period of two months from the date of his actual release on such terms and conditions as he may deem fit and proper to impose.

6. After expiry of the interim bail, the appellant shall surrender to custody.

7. CRLA is disposed of accordingly.

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