
(2023) 02 OHC CK 0017
In the Orissa High Court
Case No : Criminal Appeal No. 375 Of 2014

Kusia @ Krushna Chandra Dalei

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 02-02-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 389

Citation : (2023) 02 OHC CK 0017

Hon'ble Judges : D. Dash; Dr S.K. Panigrahi, J

Bench : Division Bench

Advocate : Lalitendu Mishra, Samapika Mishra

Final Decision : Disposed Of

Judgement

I.A. No.1353 of 2022

1. This matter is taken up through hybrid arrangement (virtual / physical) mode.
2. The Appellant (Kusia @ Krushna Chandra Dalei) by filing this application under Section 389 of the Cr.P.C. has prayed for suspension of execution of sentence imposed upon him in Sessions Trial No.452 of 2011 by the learned Additional Sessions Judge, Athagarh and his release on bail pending disposal of this Appeal.
3. Heard learned Counsel for the Appellant and learned Additional Standing Counsel for the State.
4. Considering the submissions made and on going through the impugned judgment of conviction; further keeping in view his period of detention in custody since 2009; We are inclined to direct that further execution of sentence imposed upon this Appellant in Sessions Trial No.452 of 2011 by the learned Additional Sessions Judge, Athagarh shall remain suspended in releasing the Appellant on bail pending disposal of this Appeal.
5. Accordingly, it is directed that the Appellant (Kusia @ Krushna Chandra Dalei) be released on bail in the aforesaid case 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.

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

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