

(2024) 06 OHC CK 0069

In the Orissa High Court

Case No : Bail Application No. 5761 Of 2024

Mustaq Allam @ Mushtaque Alam

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 11-06-2024

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 147, 148, 149, 302, 307, 323, 326, 341, 506
Arms Act, 1959 — Section 25, 27

Citation : (2024) 06 OHC CK 0069

Hon'ble Judges : Sashikanta Mishra, J

Bench : Single Bench

Advocate : K. Mohanty

Final Decision : Disposed Of

Judgement

Sashikanta Mishra, J

I.A. No.664 of 2024

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 20.10.2021 in connection with S.T Case No.64/16 of 2022 which is arising out of Plantsite P.S. Case No. 335 of 2021 pending in the file of Learned 2nd Addl. Sessions Judge, Rourkela, for the commission of the alleged offences punishable U/s.147/148/307/341/323/326/506/302/120-B/149 of IPC read with Section 25 and 27 of the Arms Act.
4. It is submitted that the father of the Petitioner is suffering from a cardiac ailment, which requires further treatment. Copies of some medical documents have been enclosed to the IA. in support of such contention. Learned counsel for the Petitioner submits that there is no other person available in the family to look

after the treatment of his father.

5. Learned State counsel submits that the State may be granted time to verify the genuineness of the medical documents.

6. Taking a liberal view of the matter, this Court directs the court below to release the Petitioner on interim bail for a period of three weeks from the date of his actual release on such terms and conditions as may be fixed by the court below.

7. After expiry of the aforesaid period of three weeks, the Petitioner shall surrender before the court below, failing which appropriate warrant may be issued for his production.

8. List this matter on 09.7.2024. In the meantime, the learned State counsel shall obtain instructions with regard to the documents enclosed to the I.A. Case dairy be obtained in the meantime. Further, the court below is directed to submit a report regarding the status of the trial.

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