

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.579 of 2022

Sk. Rafique

....

Appellant/Petitioner

Mr. D.Panda

Advocate

-versus-

State of Odisha

....

Respondent/

Opposite Party

Mr. S.Mishra, A.S.C.

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

31.10.2022.

Order No.

★ I.A. No.1117 of 2022 ★

- 03.
1. This matter is taken up through hybrid mode.
 2. Realization of the fine amount shall remain stayed till final disposal of the CRLA.
 3. I.A.is accordingly disposed of.

AKB

(Sashikanta Mishra)
Judge

P.T.O

I.A. No.1116 of 2022

- 04.
1. Learned State counsel shall file a copy of the custody certificate in course of the day.
 2. It is submitted that the Appellant-Petitioner has been in custody for more than five years out of the sentence of 10 years imposed by the Court below. It is submitted by Mr. Panda that the entire trial was vitiated because of the lack of authorization of the I.O. to investigate the case.
 3. Considering the above facts and the submissions made, I am inclined to direct release of the Appellant-Petitioner on interim bail for a period of six months as there is no possibility of the appeal being taken up for hearing in near future.
 4. Let the Appellant-Petitioner be released on interim bail for a period of three six months from the date of his actual release on such terms and conditions as may be fixed by the court in seisin over the matter in Special Case No.247/2017 arising out of P.R. No.29/2017-18 including the condition that he shall not misuse the liberty granted to him.
 5. After expiry of the aforesaid period of six months, the Appellant-Petitioner shall surrender before the court in seisin over the matter, failing which appropriate warrant may be issued for his production

6. The I.A. is disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

CRLA No.579 of 2022

05. 1. List this matter after six months.

