

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.680 of 2022

Subrat Kumar Nayak

.... *Appellant*

Mr. M.R. Pradhan, Adv.

-versus-

State of Odisha

.... *Respondent*

Ms. Samapika Mishra, ASC

CORAM:

MR. JUSTICE D. DASH

DR. JUSTICE S.K. PANIGRAHI

ORDER

03.02.2023

I.A. No.1297 of 2022

Order

No.

- 03.
1. This matter is taken up through hybrid arrangement (virtual / physical) mode.
 2. The Appellant (Subrat Kumar Nayak) by filing this application under Section 389 of the Cr.P.C. has prayed for suspension of execution of sentence imposed upon him in S.T. Case No.35 of 2014 by the learned Additional District and Sessions Judge, Kuchinda 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 the factum of enjoyment of the Appellant during the period of trial; We are inclined to direct that further execution of sentence imposed upon this Appellant in S.T. Case No.35 of 2014 by the learned Additional District and Sessions Judge, Kuchinda shall remain suspended in releasing the Appellant on bail pending disposal of this Appeal.

5. Accordingly, it is directed that the Appellant (Subrat Kumar Nayak) 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.

(D. Dash)
Judge

(Dr. S.K. Panigrahi)
Judge

I.A. No.1298 of 2022

- 04.
1. Heard.
 2. There shall be stay realization of fine pending disposal of this Appeal.
 3. The I.A. is, accordingly, disposed of.

(D. Dash)
Judge

(Dr. S.K. Panigrahi)
Judge

CRLA No.375 of 2014

- 05.
1. List this matter for hearing in the week commencing 24th April, 2023.
 2. Urgent certified copy of this order be granted on proper application.

(D. Dash)
Judge

(Dr. S.K. Panigrahi)
Judge