

BLAPL No.109 of 2019

02. 31.01.2019 The petitioner, being in custody in Gania P.S. Case No.51 of 2006 corresponding to G.R. Case No.112(A) of 2006 on the file of the court of the learned J.M.F.C., Daspara running for the alleged commission of offence under section 294/341/323/324/307/506/34 of the I.P.C., has filed this application under section 439, Cr.P.C. for his release on bail.

Learned counsel for the petitioner submits that the petitioner, being a wage earner, had gone outside the State to earn his livelihood and for that reason, he could not take timely step in the case, which has led to issuance of NBW against him. He fairly submits that although the petitioner's absence is for quite a long, it was not deliberate or intentional. In view of all the above, he urges for grant of bail to the petitioner.

Learned counsel for the State opposes the move.

Considering the submissions made and on going through the materials available on record; further keeping in view the surrounding circumstances as well as the period of detention of the petitioner in custody and in the absence of any other impediment, it is directed that the petitioner be released on bail in the aforesaid case on such terms and conditions as deemed just and proper by the court in seisin of the case with further condition that he would appear in person before the Court in seisin of the case on each date of posting of the case till conclusion of the trial.

The BLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

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D. Dash,J.