

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No. 65 of 2022

Tipu @ Abdul Siddik Khan @ ... **Appellant**
Abdul Siddiq Khan

Mr. P.C. Jena, Advocate

-Versus -

State of Odisha & Others **Respondents**

Mr. P.Tripathy, Addl. Standing Counsel
Mr. R. Panda, Adv. (R-2)

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
02.11.2022

Order No.
04.

1. This matter is taken up through hybrid mode.
2. Learned State Counsel informs that notice has already been served on the victim/informant on 19.10.2022. There is however, no appearance from her side. Hence the appeal is taken up for hearing.
3. Heard learned counsel for the appellant and learned Addl. Standing Counsel for the State.
4. The appellant is in custody since 30.07.2021 in connection with Jaleswar P.S. Case No.266 of 2018 corresponding to Special Case No.85 of 2021 pending in the Court of learned Presiding Officer, Special Court (SC/ST), Balasore for the alleged commission of offence under Sections 365/376(2)(n)/34) of IPC read with Section 3(1)(r)(s)(w)(i)/2(v)(a) of SC & ST (POA) Act.
5. Considering the nature of accusations and in particular the statement of the victim recorded under Section 164 Cr.P.C., I am not inclined to allow the prayer for bail, which is therefore, rejected. It shall be open to the appellant to renew his prayer after examination of the victim during trial.
6. CRLA is accordingly rejected.

(Sashikanta Mishra)
Judge