**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.2295 of 2022**

***Roshan Panda*** …. ***Petitioner***

*Mr.R.K. Pattnaik, Advocate*

*-versus-*

***State of Odisha*** …. ***Opp. Party***

*Mr.Arupananda Das,*
*Addl. Government Advocate*

**CORAM:**
**JUSTICE S.K. SAHOO**

**ORDER**

**Order No.** **24.06.2022**

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application for bail under section 439 of Cr.P.C. in connection with Cuttack Mahila P.S. Case No.52 of 2020 corresponding to S.T. Case No.89 of 2021 pending in the Court of learned Asst. Sessions Judge, Cuttack for offences punishable under sections 376(2)(m), 313, 506, 323/34 the Indian Penal Code.

The prayer for bail of the petitioner was rejected by the learned Asst. Sessions Judge (STC), Cuttack vide order dated 09.03.2022.

Learned counsel for the petitioner submitted that the earlier bail application of the petitioner in BLAPL No. 1943 of

2021 has been rejected as per order dated 02.07.2021 and the learned trial Court was directed to expedite the trial and take steps for examination of the victim at the first instance and the petitioner was given liberty to renew his prayer for bail after victim is examined in the learned trial Court. Learned counsel further submitted that in the meantime the trial has commenced and except the Investigating Officer, all other witnesses have been examined including the victim and as the petitioner is in judicial custody since 23.02.2021, the bail application may be favourably reconsidered.

Learned counsel for the State opposed the prayer for bail and submitted that the victim being examined as P.W.4 has supported the prosecution case.

Considering the submissions made by the learned counsel for the respective parties, the nature and gravity of accusation, while not inclining to release the petitioner on bail, I direct the learned trial Court to conclude the trial within a period of three months from the date of receipt of a copy of the order. The petitioner is at liberty to renew his prayer for bail if the trial is not concluded within the said period.

The BLAPL is accordingly disposed of.

A copy of the order be communicated to the learned trial Court forthwith.

***( S.K. Sahoo)***
***Judge***

PKSahoo