

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No.81 of 2021

Umesh Chandra Mallick ***Petitioner***
Mr.L. Pradhan, Advocate
-versus-

State of Odisha ***Opposite Party***
Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
24.11.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. The Petitioner has filed this CRLMA challenging the order dated 30.04.2019 passed by the learned Addl. District & Sessions Judge-cum-Special Judge, Phulbani in Criminal Appeal No.10 of 2019 rejecting the application filed under Section 389 Cr.P.C. for release on bail.
3. It is submitted by the learned counsel that the Petitioner was convicted by the learned Asst. Sessions Judge, Special Track Court, Phulbani in S.T. Case No.9 of 2015 and sentenced to undergo R.I for 7 years and to pay a fine of Rs.20,000/- in default to undergo R.I for 3 months for the offence under Section 376 IPC. It is stated that the Petitioner has already undergone 5 years of imprisonment. Therefore, he seeks release of the Petitioner.
4. Learned counsel for the State opposes the prayer for bail.

5. Taking note of the period of custody vis-à-vis the sentence imposed, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned trial court.
6. With the aforesaid order, this CRLMA stands disposed of.
7. Urgent certified copy of this order be granted on proper application.

(V. NARASINGH)
Judge

PKS

