

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.3307 of 2020

Nepal Deep

....

Petitioner

Mr. Asit Kumar Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Das, Additional Standing Counsel

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER
12.10.2022

Order No.

- 04.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. A.K. Jena, learned counsel for the Petitioner and Mr. K.K. Das, learned Additional Standing Counsel.
 3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Nepal Deep in connection with Mathili P.S. Case No.172 of 2019 corresponding to G.R. Case No.832 of 2019 pending in the court of learned S.D.J.M., Malkangiri for alleged commission of offence under Sections 376(1)/506 of the Indian Penal Code.
 4. Earlier this court by order dated 12th February, 2020 passed in BLAPL No.825 of 2020 rejected the prayer for bail of the Petitioner considering the statement of the victim under Section 164 Cr.P.C.
 5. It is submitted by the Petitioner that the victim has been examined in course of trial in the meantime. But learned counsel for the Petitioner expresses his inability to produce copy of her

deposition. In such situation, looking to her statement recorded under section 164 of the Cr.P.C., no merit is seen in the prayer of the petitioner to release him on bail differing earlier order of this court.

6. Accordingly the prayer for bail is rejected and the BLAPL is dismissed.

(B.P. Routray)
Judge

M.K.Panda

