

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6540 of 2022

Tapan Naik

....

Petitioner

Mr. A.K. Das (1), Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

02.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in C.T. (SS) Case No.142 of 2022, pending in the file of learned Sessions Judge, Dhenkanal, arising out of Sadar P.S. Case No.187 of 2022, for alleged commission of offence under Sections 436/307/324/426/427/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Dhenkanal by order dated 29.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that since in the meanwhile the case has been committed, further continuance of the petitioner in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the lady and her minor daughter were assaulted for which no lenience ought to be shown to the petitioner.

7. Taking into account the filing of the charge sheet and in the meanwhile the case has been committed and the background in which the offence has been committed, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter so as to ensure his presence on each date of trial. Before releasing learned Court in seisin over the matter is requested to verify about the health condition of both the victims, since it is stated that they have recovered and they are leading a normal life.

8. Additionally the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial. Date and time of such appearance be fixed by the learned Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi