

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6770 of 2022

Hemanta Mishal

....

Petitioner

Mr. D. Mohapatra, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

02.08.2022

Order No.

01.

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 G.R. Case No.37 of 2021, on the files of learned Gram Nyayadhikari-cum-J.M.F.C. Kasinagar, Gajapati arising out of Kasinagar P.S. Case No.38 of 2022, under Section 376(2)(n), 354-A, 354-D, 506 of IPC and he is in custody since 07.02.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Gajapati, Paralakhemundi, by order dated 04.04.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that admittedly the incident took place during the period 2018 to 2021 and it is also stated with the vehemence that petitioner had a relationship and because of such relationship becoming sour, the petitioner has been falsely implicated.

6. Learned counsel for the State submits that charge sheet has been filed against the petitioner which prima facie shows his involvement.
7. Perused the 164 Cr.P.C. statement.
8. Considering the tenor of such statement and keeping in view the filing of charge sheet and period custody, 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.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

Santoshi



(V. NARASINGH)
Judge