

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6965 of 2022

Pintu @ Abhay Kumar Senapati

Petitioner

Mr. R.Ch. Maharana, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
07.09.2022

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 accused in Baliana P.S. Case No.17 of 2013 corresponding to T.R. Case No.289 of 2013, pending before the learned Adhoc. Additional Sessions Judge (F.T.S.C), Bhubaneswar, for alleged commission of offences under Section 376(2)(g) of IPC.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Adhoc. Additional Sessions Judge (F.T.S.C), Bhubaneswar, by order dated 13.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that the petitioner was released on bail as per order dated 23.07.2013 passed in BLAPL No.7401 of 2013.
6. For non appearance on the date fixed in terms of the order passed by this Court the petitioner was taken into custody on execution of NBWA on 10.05.2022.

7. It is submitted by the learned counsel for the petitioner that non appearance on the date fixed was for reasons beyond the control of the petitioner.

8. Perused the report of the learned Adhoc. Additional Sessions Judge (F.T.S.C), Bhubaneswar, that charge is yet to be framed.

9. Taking into account the same and the reason for which the petitioner has been sent to custody, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

10. Learned Court to fix the terms to ensure his presence on each date of trial.

11. Accordingly, the BLAPL stands disposed of.

12. Urgent certified copy of this order be granted as per rule.

Ayesha

