

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7078 of 2022

Jagabandhu Mallik @ Jaiya

Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.08.2022

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 C.T. Case No.961 of 2022, on the files of S.D.J.M., Jajpur, Dist-Jajpur, arising out of Binjharpur P.S. Case No.296 of 2022, under Sections 376 of IPC and is in custody since 16.04.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned District & Sessions Judge, Jajpur, by order dated 12.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that charge sheet has already been filed on 19.06.2022, hence further continuance of the petitioner is not warranted.

6. Learned counsel for the State relying on the 164 Cr.P.C. statement of the victim submits that the petitioner is not entitled to be released on bail till the examination of the victim.
7. Considering the nature of the allegations, tenor of 164 Cr.P.C. statement and filing of charge sheet, 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.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

Santoshi

