

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7338 OF 2022

Nabin Palakia

..... Petitioner
Mr. J.K.Panda, Adv.

-versus-

State of Odisha

..... Opposite Party
Mr.P.K.Maharaj, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
24.08.2022

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Mr. B.Sahoo, learned counsel submits that he has submitted the Vakalatnama on behalf of the informant before the Registry on 8.08.2022. Registry is requested to trace out the same and tag with the record and reflect the name of Mr. Sahoo on the brief as well as in the cause list.
3. Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No. 320 of 2022 arising out of Ambadola P.S. Case No. 85 of 2022, pending on the file of the learned J.M.F.C., Bisamacuttack, for the alleged commission of offence under Sections 294/506/493/34 of the I.P.C.
4. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Addl. Sessions Judge,

Gunupur(Circuit at Bissamcutttack), by order dtd.20.07.2022, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the petitioner that since the Charge Sheet has already been filed in the meanwhile, further continuance of the petitioner in custody is not warranted.

6. Learned counsels for the State and informant relying on the 164 Cr.P.C. statement of victim submit that due to live in relationship with the petitioner, the victim became pregnant and attempt was made to terminate her pregnancy forcibly.

7. Learned counsel for the informant additionally relying on the medical examination report of the victim vehemently opposes the prayer for bail, so also the learned counsel for the State.

8. Considering the materials on record, taking into account the tenor of 164 Cr.P.C. statement of the victim and since the Charge-sheet has already been filed, 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. The BLAPL thus stands disposed of.

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

(V.Narasingh)
Judge