

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8134 of 2022

Gupta Kuldeep

....

Petitioner

Mr. R.L. Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

22.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in connection with G.R. Case No.241 of 2022, pending in the file of the learned J.M.F.C., Motu at M.V.-79, Malkangiri, arising out of Kalimela P.S. Case No.130 dated 07.05.2022, for alleged commission of offences under Sections 363/364-A of IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Malkangiri, by order dated 05.08.2022 in the aforementioned case, the present BLAPL has been filed.

4. Taking into account the nature of allegations and that charge-sheet has been filed on 19.11.2022 and considering the submission of the learned counsel for the petitioner, on instruction that the victim has been restored to her family and that the

petitioner is the first offender, this Court directs the petitioner to be released on bail on terms to be fixed by the learned Court in seisin.

5. Before releasing the petitioner, learned Court in seisin shall verify assertion regarding the criminal antecedents of similar nature. If it comes to the fore that the petitioner has such criminal antecedent, this order shall stand recalled.

6. Accordingly, the BLAPL stands disposed of.

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

Ayesha

(V. NARASINGH)
Judge

