

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7277 of 2021

Kalia Dalei @ Podakalia Dalei

....

Petitioner

M/s.D.J.Sahoo, Advocate

-versus-

State of Orissa

....

Opp. Party

M/s. D.Nayak, A.G.A.

CORAM:

JUSTICE G. SATAPATHY

ORDER

05.09.2022

Order No.

- 07.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with S.T. Case No. 12 of 2021 arising out of Balasore Sadar P.S. Case No. 268 of 2020 corresponding to C.T. Case No. 788 of 2020 pending in the Court of learned Addl. Sessions Judge, Balasore for commission of offence punishable U/Ss. 376(2)(n)(1) of I.P.C.
 3. In the course of hearing of the bail application, learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the allegations of sexual assault raised against the petitioner are motivated and concocted. It is accordingly submitted for release of the petitioner on bail.
 4. On contrary, learned counsel for the State by placing the statement of the victim recorded under Section 164 Cr.P.C. submits to reject the bail application of the petitioner.
 5. Considering the nature and gravity of allegations levelled against the petitioner and keeping in mind the disability of the victim and taking into consideration the allegations levelled against the petitioner by the victim in her statement U/S. 164 Cr.P.C. in the circumstances of this case, this Court is not at all inclined to grant bail to the petitioner. Hence, the bail application of the petitioner stands rejected. At this point of time,

learned counsel for the petitioner submits that charge has already been framed in this case and therefore, trial be expedited for early disposal of the case.

6. In view of such prayer advanced on behalf of the petitioner, this Court requests the learned trial Court to dispose of the case as expeditiously as possible, if charge has already been framed in this case.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of the order be granted on proper application.

(G. Satapathy)
Judge

Kishore

