

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8439 of 2022

Dillip Kumar Maharana

....

Petitioner

Mr. B.K. Sharma, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.10.2022

Order No.

03.

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 G.R. Case No.744 of 2022, pending in the file of learned J.M.F.C., Banarpal, arising out of Banarpal P.S. Case No.256 of 2022, alleged commission of offence under Sections 417/376(2)(n)/376-D/313 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the Addl. District & Sessions Judge-Cum-Special Judge (Vigilance), Angul by order dated 17.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 28.07.2022 and as charge sheet has been filed on 19.09.2022, keeping in view the nature of allegation further continuance of the petitioner in custody is punitive.

6. Perused the 164 Cr.P.C. statement of the victim.
7. Considering the tenor thereof and taking into account the filing of charge sheet and period of custody, 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 rules.

Santoshi



(V. NARASINGH)
Judge