

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8760 of 2022

Pintu Chandan

....

Petitioner

Mr. A.K. Saa, Advocate

-versus-

State of Odisha & Another

....

Opposite Parties

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.10.2022

Order No.

05.

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 connection with Spl. G.R. Case No.96 of 2020, pending in the file of the learned A.D.J. (FTSC), Balangir, arising out of Loisinga P.S. Case No.317 of 2020, for alleged commission of offences under Section 409/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned A.D.J. (FTSC), Balangir, by order dated 05.03.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that since the victim has been examined as P.W.3 and since the trial is lingering, his further continuance in custody is unwarranted.

6. Learned counsel for the State placing reliance on the evidence of P.W.3, submits that since she has supported the case of the prosecution, the petitioner ought to be released on bail at this stage.

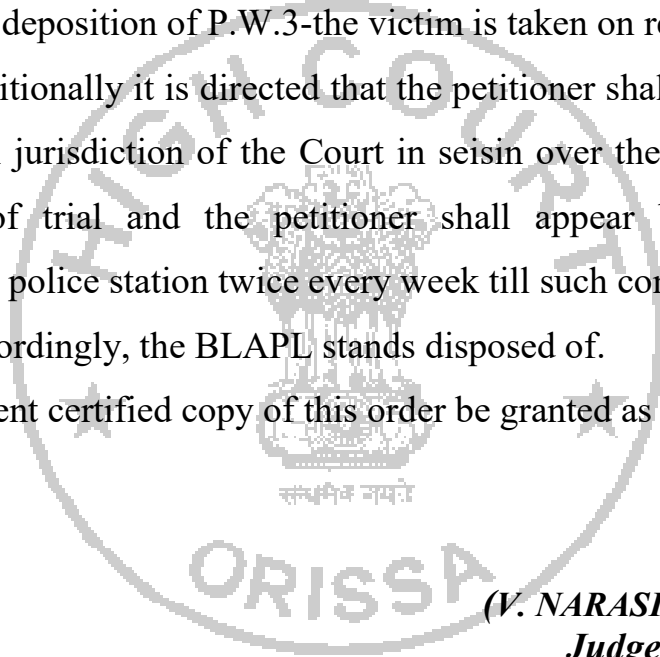
7. Considering the tenor of the statement of the victim examined on oath as P.W.3 and keeping in view that the petitioner is in custody since 21.07.2021 and as trial is lingering, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. The deposition of P.W.3-the victim is taken on record.

9. Additionally it is directed that the petitioner shall not leave the territorial jurisdiction of the Court in seisin over the matter till conclusion of trial and the petitioner shall appear before the jurisdictional police station twice every week till such conclusion.

10. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Ayesha