

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8981 of 2022

Sunduru Tadingi

....

Petitioner

Mr. A.N. Pattanayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

04.11.2022

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.447 of 2022, pending in the file of learned S.D.J.M. Koraput arising out of Kotia P.S. Case No.01 of 2022, for alleged commission of offence under Sections 376/379/450/506 of IPC and is in custody since 11.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Koraput by order dated 23.07.2022 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 11.07.2022 and charge sheet has been filed on 28.07.2022, further continuance of the petitioner in custody is punitive.
6. Perused the 164 Cr.P.C. statement of the victim.

7. It is clearly borne out from the said statement that on earlier occasion also the petitioner had committed similar offence regarding which no police complain was lodged as the matter was settled at the village level.

8. Taking into account the conduct of the petitioner, this Court is **not inclined** to entertain this bail application at this stage.

9. It shall be open to the petitioner to move the learned Court in seisin over the matter after examination of the victim and same shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

