

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9230 of 2022

Narayan Gond and another *Petitioners*

Mr. U. Barik, Advocate

-versus-

State of Odisha *Opposite Party*

Mr. G.R. Mohapatra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
09.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in C.T. Case No.12 of 2022, pending in the file of learned Additional District and Sessions Judge, Umerkote arising out of Kunderi P.S. Case No.83 of 2021, for alleged commission of offence under Sections 498A/294/323/376(1)/506/34 of IPC and is in custody since 16.12.2021 and 09.02.2022 respectively.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Umerkot by order dated 05.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account the 164 Cr.P.C. statement of the victim and the statement of one Banuram Rout, this Court is **not inclined** to entertain this bail application at this stage. Accordingly the same stands rejected.

6. It shall be open to the petitioners 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.
7. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi

