

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9474 of 2022

Sanjaya Behera

....

Petitioner

Mr. T.K. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

27.10.2022

Order No.

02.

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.392 of 2022, pending in the file of learned J.M.F.C., Salipur, Dist-Cuttack, arising out of Mahanga Police Station P.S. Case No.111 of 2022, offence under Sections 341/294/447/323/325/354/307/379/506/34 of IPC and is in custody since 05.09.2022.
4. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Salipur by order dated 21.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the State on instructions regarding the health condition of the injured Durgabati Behera submits that she is not able to attend to her daily chores and still undergoing treatment, hence this Court is **not inclined** to entertain this bail application at

this stage considering the manner in which the lady has been assaulted.

6. It shall be open to the petitioner to renew his prayer before the learned Court in seisin over the matter after filing of charge sheet and same shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court

7. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge



Santoshi