

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8508 of 2021

Gandhi Rout

....

Petitioner

Mr.P.K. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.J.P. Patra,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

10.01.2022

Order No.

06. This matter is taken up through video conferencing mode.

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application for bail under section 439 of Cr.P.C. in connection with Baramba P.S. Case No.293 of 2019 corresponding to S.T. Case No. 02 of 2021 pending in the file of learned Asst. Sessions Judge, Athagarh for alleged commission of offences under sections 450, 354, 376(2)(f)/ 506 of the Indian Penal Code.

The prayer for bail of the petitioner was rejected by the learned Asst. Sessions Judge, Athagarh vide order dated 13.08.2021.

Learned counsel for the petitioner submitted that the earlier bail application of the petitioner in

BLAPL No. 1299 of 2021 was rejected on 13.07.2021 particularly taking into account the relationship between the petitioner and the victim and the statement of the victim as well as the nature and gravity of accusation and the petitioner was given liberty to renew his prayer for bail after examination of the victim in the learned trial Court and since the victim is now in advanced stage of pregnancy, it is not possible on her part to appear in the Court and give evidence and therefore, the bail application may be favourably considered.

Since there is no change in the circumstances after rejection of the earlier bail application and the victim has not yet been examined, I am not inclined to reconsider the prayer for bail. Accordingly, prayer for bail stands rejected.

The BLAPL is accordingly dismissed.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide office order dated 7th January 2022.

(S.K. Sahoo)
Judge

PKSahoo