

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9516 of 2022

Dasarathi Hansdah

....

Petitioner

Mr. B.K. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. S. Pattnaik, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

09.12.2022

Order No.

03.

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

2. The petitioner is an accused in S.T. Case No.224 of 2022, pending in the file of learned Sessions Judge, Mayurbhanj, Baripada, arising out of Kuliana P.S. Case No.73 of 2022 corresponding to C.T. Case No.762 of 2022, for commission of alleged offences under Sections 376/506 of IPC and is in custody since 07.05.2022.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Mayurbhanj, Baripada by order dated 05.09.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted that the petitioner is in custody since 07.05.2022 and as charge sheet has already been filed on 22.06.2022, further continuance of the petitioner in custody is unwarranted.

5. Perused the 164 Cr.P.C. statement of the victim.
6. Considering the tenor thereof and taking into account the period of custody and filing of charge sheet, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.
7. To allay the legitimate apprehension as expressed by the learned counsel for the State regarding the security of the victim/informant, this Court directs the petitioner to appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin till conclusion of trial and shall not in any way try to intimidate or contact the victim and her family.
8. In the event there is any violation, it shall be open to the prosecution to seek variance of this Court.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge

Santoshi