IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.521 of 2021

Kusia @ Kushiram Rout .... ***Appellant***

Mr.Bidesh Ranjan Behera, Advocate

-versus-

State of Orissa and another .... ***Opposite Parties***

Mr. P.C. Das, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
15.02.2022

Order No.

04. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. Learned counsel for the Appellant files a memo in Court today stating therein that the matter has been committed to the court of learned Additional Sessions Judge (Fast Track), Dhenkanal and renumbered as C.T.(SS) Case No.106 of 2021. The same is taken on record.

3. Heard learned counsel for the Appellant and learned counsel for the State. Perused the records.

4. The present appeal has been preferred against the rejection order dated 20.09.2021 passed by the learned Judge, Special Court, Dhenkanal in C.T.(SPL) Case No.40 of 2021, arising out of Gondia P.S. case No.172, dated 25.06.2021 under Section 376(1) of IPC read with Section 3(1)/3(2)(v) of S.C. & S.T. (P.A.) Act.

5. Learned counsel for the Appellant submitted that charge-sheet in the case has been filed in the meantime for the offence

under Section 376(1) of IPC and Section 3(1)/3(2)(v) of S.C. & S.T. (P.A.) Act has been deleted.

6. Upon perusal of the record as well as the statement of the witnesses, it appears that there exists a dispute between the victim and the present Appellant with regard to monetary transaction.

7. Considering the nature and gravity of offences alleged and the period of detention of the Appellant, this Court is inclined to release the Appellant on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with two solvent sureties for the like amount to the satisfaction of the learned court in seisin of the matter subject to conditions that the Appellant shall not tamper with the prosecution evidence or show any threat or influence the witnesses in any manner whatsoever and cooperate in the trial of the case. It is further directed that the court in seisin of the matter may impose any additional condition(s), if situation so warrants. Deviation of any of the above conditions shall entail cancellation of the bail of the Appellant.

8. With the above direction, the CRLA stands disposed of.

9. Issue urgent certified copy on proper application.

(A.K. Mohapatra)
Judge

U.K.Sahoo