

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9557 of 2022

Deepak Majhi

....

Petitioner

Mr. M.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

19.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. It is submitted by the learned counsel for the petitioner that inadvertently in the bail application, the description of offence has been wrongly stated as Section 376(3) instead of Section 376(2)(n) of IPC. Hence, learned counsel for the petitioner is permitted to correct the same in Court.
3. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
4. The petitioner is an accused in connection with C.T. Case No.373 of 2022, pending in the Court of learned S.D.J.M., Dharamgarh, arising out of Dharamgarh P.S. Case No.138 of 2022, for commission of offences under Section 363/366/376(2)(n)/506/34 of IPC.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge,

Dharamgarh, by order dated 05.09.2022 in the aforementioned case, the present BLAPL has been filed.

6. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 16.06.2022 and as charge-sheet has admittedly filed on 15.08.2022, further continuance of the petitioner in custody is unwarranted.

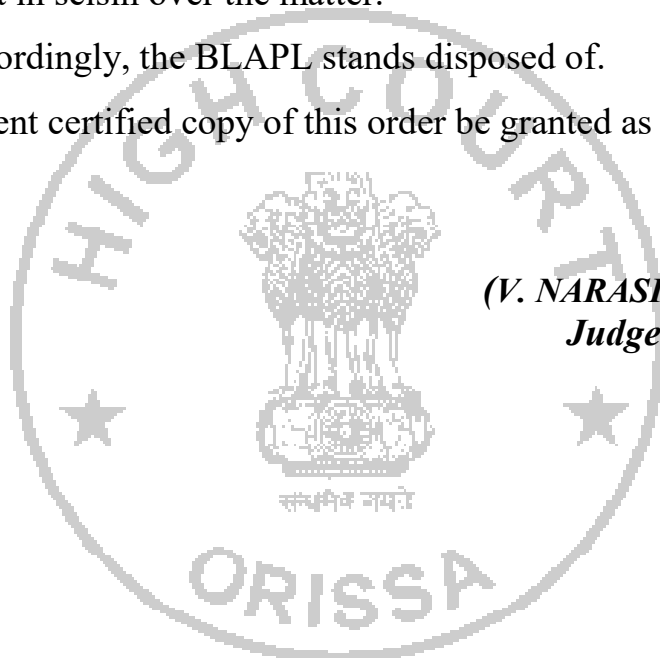
7. Perused the 164 Cr.P.C. statement of the victim.

8. Considering the tenor thereof, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

Ayesha



(V. NARASINGH)
Judge