

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9595 of 2022

Lambu Munda

....

Petitioner

Mr. S.N. Mishra 4, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.10.2022

Order No.

01.

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 S.T. Case No.20 of 2022, pending in the file of learned Adhoc Additional District Judge-cum-Special Judge (FTSC), Bhadrak, arising out of Bhadrak Town P.S. Case No.276 of 2021, offence under Sections 376(1)/366 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge (FTSC) Bhadrak by order dated 04.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. The petitioner is stated to be in custody since 10.07.2021 and it is submitted that charge sheet has been filed since

19.08.2021, further continuance of the petitioner in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail inter alia relying on the 164 Cr.P.C. statement of the victim coupled with the medical examination of the petitioner-accused since credence to the assertions of the victim that she protested the Act.

7. Taking into account the submissions made and filing of charge sheet and period of custody, 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.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi