

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9696 of 2022

***Pitabash Subudhi @ Pitabasa
Subudhi***

Petitioner

Mr. K.K. Bhuyan, Advocate

-versus-

State of Odisha and another

Opposite Parties

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
16.12.2022**

Order No.

04.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in G.R. Case No.290 of 2021, pending in the file of learned J.M.F.C., Baramba, arising out of Baramba P.S. Case No.302 of 2021, for commission of alleged offences under Sections 376(2)(n)/313/294/506 of IPC and is in custody since 28.09.2022.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Athagarh by order dated 28.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner is in custody since 28.09.2022 and as charge sheet has already been filed on 31.10.2022, further continuance of the petitioner in custody is not warranted.
5. Learned counsel for the State opposes the prayer for bail.
6. Perused the 164 Cr.P.C. statement of the victim.

7. Considering the tenor thereof 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.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge

Santoshi

