

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9764 of 2022

***Hadia @ Dilip @ Dillip Rout @
Routh***

Petitioner

Mr. P.C. Jena, Advocate

-versus-

State of Orissa

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
15.12.2022**

Order No.

03.

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

2. The petitioner is an accused in connection with C.T. Case No.206 of 2022, pending in the file of the learned NGN-cum-J.M.F.C., Bhograi, arising out of Bhograi P.S. Case No.125 of 2022, for alleged commission of offences under Section 376-D of IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Balasore, Circuit at Jaleswar, by order dated 15.09.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that the petitioner is in custody since 16.07.2022 and as charge-sheet is filed on 10.11.2022, further continuance of the petitioner in custody is unwarranted.

5. It is also the further submission of the learned counsel for the petitioner that there has been no seizure from him and the medical examination report belies the allegations of offence under Section 376-D of IPC.

6. Perused the 164 Cr.P.C. statement of the victim in which the victim has clearly stated regarding the role played by the petitioner in facilitating others in ravishing her.

7. Keeping in view the tenor of such statement, this Court is **not inclined** to entertain this bail application.

8. Accordingly, the BLAPL stands rejected.

Ayesha



(V. NARASINGH)
Judge