

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9797 of 2022

Raja Khan

....

Petitioner

Mr. MD. G. Madani, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.11.2022

Order No.

02.

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 G.R Case No.2123 of 2022, pending on the file of learned S.D.J.M., Bhadrak, arising out of Puruna Bazar P.S. Case No.189 of 2022, for commission of alleged offences under Section 376(2)(n)/307/506/34 of IPC read with Section 66 E and 67 of the I.T. Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bhadrak by order dated 29.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel that the petitioner is in custody since 08.08.2022 and as charge sheet has already been filed on 05.10.2022, further continuance of the petitioner in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail.
7. Perused the 164 Cr.P.C. statement of the victim.
8. Considering the tenor thereof and taking into account that charge sheet has not been filed inter alia under Section 307 of IPC, 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 the rules.

Santoshi

