

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9967 of 2022

Anil Kumar Mallik

....

Petitioner

Mr. U.R. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.10.2022

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 connection with C.T. Case No.1854 of 2022, pending in the Court of the learned S.D.J.M., Jajpur, arising out of Binjharpur P.S. Case No.487 of 2022, for alleged commission of offences under Section 365/376(2)(n)/506 of IPC read with Section 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, Jajpur, by order dated 27.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 19.08.2022 and as investigation has progressed substantially and keeping in view the nature of

allegation as leveled, further continuance of the petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail that taking into account the allegations of the petitioner, the petitioner ought not to be released on bail pending filing of final form.

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 Court in seisin over the matter.

9. Additionally it is directed that the petitioner shall appear before the Investigating Officer once every week till submission of final form.

10. It is further directed that the petitioner shall not in any way try to intimidate the victim/ her family.

11. It shall be open to the victim/ her family to seek variance of the order in the event there is any violation of the stipulations as prescribed.

12. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha