

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9983 of 2022

Jitin @ Jitendra Dalei @ Jitina

Petitioner

Mr. S.R. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, 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 petitioners are an accused in connection with C.T. Case No.1027 of 2022, pending in the Court of learned J.M.F.C., Chandikhole, arising out of Balichandrapur P.S. Case No.244 of 2022, for alleged commission of offences under Section 452/376 of IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned District & Sessions Judge, Jajpur, by order dated 14.09.2022 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 12.07.2022 and as charge-sheet has already been filed on 08.09.2022, further continuance of the petitioner in custody is unwarranted.

6. Perused the 164 Cr.P.C. statement of the victim, her daughter aged about 9 years and the statement of the husband of the victim Arun Dalei.

7. Considering the same, this Court is **not inclined** to entertain the bail application at this stage.

8. It shall be open to the petitioner to move for bail before the learned Court in seisin over the matter after examination of the victim, which shall be considered on its own merits.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha

