

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10067 of 2022

Atikur Reheman

....

Petitioner

Mr. Sougat Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Pattnaik, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
01.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in S.T. Case No.187 of 2022 pending on the file of learned 1st Addl. Sessions Judge, Baripada, arising out of Khunta P.S. Case No.102 of 2022, for commission of offence under Sections 376(2)(n)/506 IPC.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C by the learned 1st Addl. Sessions Judge, Baripada by order dated 14.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 23.04.2022 and as charge sheet has been filed on 09.07.2022, his further continuance in custody is not warranted.
5. Learned counsel for the State opposes the prayer for bail.

6. Perused the statement of the victim recorded under Section 164 Cr.P.C.
7. Taking into account the filing of the charge sheet, 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.
8. Additionally, it is directed that the learned Court in seisin shall fix such terms so as to ensure the presence of the Petitioner on each date of trial since he does not reside within the territorial jurisdiction of the Court.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

PKS

