

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10089 of 2022

Bharat Gahir

....

Petitioner

Mr. P.K. Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in G.R. Case No.300 of 2019, pending in the file of learned J.M.F.C., Kantabanji, arising out of Kantabanji P.S. Case No.133 of 2019, for commission of alleged offences under Sections 363/376/294/506/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Kantabanji by order dated 26.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 05.06.2022 and charge sheet has already been filed on 03.08.2022, further continuance of the petitioner in custody is not warranted.
6. Perused the 164 Cr.P.C. statement of the victim.

7. Considering the tenor thereof and taking into account the filing of charge sheet and period of custody, 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. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge

Santoshi

