

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9065 of 2021

Jitrai Samburai @ Tudu

..... Petitioner
Mr. P.K. Nanda, Advocate

-versus-

State of Odisha

..... Opposite Party
Mr. S.S. Pradhan, AGA

CORAM:
JUSTICE SAVITRI RATHO

Order No.

ORDER
03.01.2022

01. The matter is taken up by hybrid mode.

Heard.

This is the second journey of the petitioner-Jitrai Samburai @ Tudu to this Court under Section 439 of Cr.P.C. for grant of bail in connection with Sarat P.S. Case No.10 of 2019 corresponding to G.R. Case No. 145 of 2019 now pending in the Court of the learned Assistant Sessions Judge, Udala in S.T. Case No. 07/111 of 2021-19 for commission of offence punishable under Sections 376 (1)/457/506 of I.P.C. His earlier application for bail in BLAPL No. 37 of 2020 had been rejected by order dated 25.09.2020.

The allegation against the petitioner is that on 02.05.2019, Suru Samburai reported the P.S. to the effect that while the husband of the informant was absent in her house on 28.04.2019, the petitioner who is her uncle in law entered into the house of the informant in the night and committed rape on her by showing knife and also threatened to kill her, if she disclosed the matter to anybody.

Mr. P.K. Nanda, learned counsel for the petitioner states that the petitioner is in custody since 02.05.2019 and out of 26 witnesses, only 4 witnesses have been examined in the meanwhile which includes the victim lady, her husband and her daughter.

In view of the above, learned trial court is requested to make endeavour to complete the trial within a period of four months.

Liberty is granted to the petitioner to move for bail afresh in case there is undue delay in completion of the trial.

With the aforesaid observation, the BLAPL is disposed of.

Copy of the said order be sent to the court of the learned Assistant Sessions Judge, Udala.

Urgent certified copy of this order be granted on proper application.

puspa



(Savitri Ratho)
Judge