

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10165 of 2022

Nilanchal Das

....

Petitioner

Mr. K.P. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

06.12.2022

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.736 of 2022, pending in the file of learned J.M.F.C. Khallikote, Ganjam, arising out of Khallikote P.S. Case No.0310 of 2022, for commission of alleged offences under Sections 452/376(i)/506 of IPC and is in custody since 07.06.2022.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Khallikote by order dated 05.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 07.06.2022 and charge sheet has already been filed on 05.08.2022, further continuance of the petitioner in custody is not warranted.

5. Perused the 164 Cr.P.C. statement of the victim which is produced by the learned counsel for the petitioner and taken on record.

6. 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.

7. Accordingly, the BLAPL stands disposed of.

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

Santoshi

