

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.598 of 2021

Dandhua Chirguni

.... ***Appellant***
Mr. D.R. Mishra, Advocate

-versus-

State of Odisha and another

.... ***Opposite Parties***
Mr. Karunakar Gaya, ASC

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

10.02.2022

Order No.

05. 1. The matter is taken up through hybrid mode.
2. Heard learned counsel for the appellant-petitioner and learned counsel for the State.
3. The petitioner is facing trial for commission of offence under Sections 376(1)/506 of the IPC read with Sections 3(1)(r), 3(1)(w)(i), 3(2)(v)(va) of the SC and ST (POA) Act in C.T. (Special) Case No.03 of 2021, arising out of Handapa P.S. Case No.05 of 2021 of the court of learned Special Judge, Athamallik.
4. The prosecution case is that on 01.01.2021, at about 6 P.M. the present petitioner raped the informant and threatened to kill her, if she discloses the matter to anybody. But, the informant informed the matter before her husband and lodged the FIR.
5. Learned counsel for the petitioner submits that out of 22 charge-sheeted witnesses, only 09 charge-sheeted witnesses have already

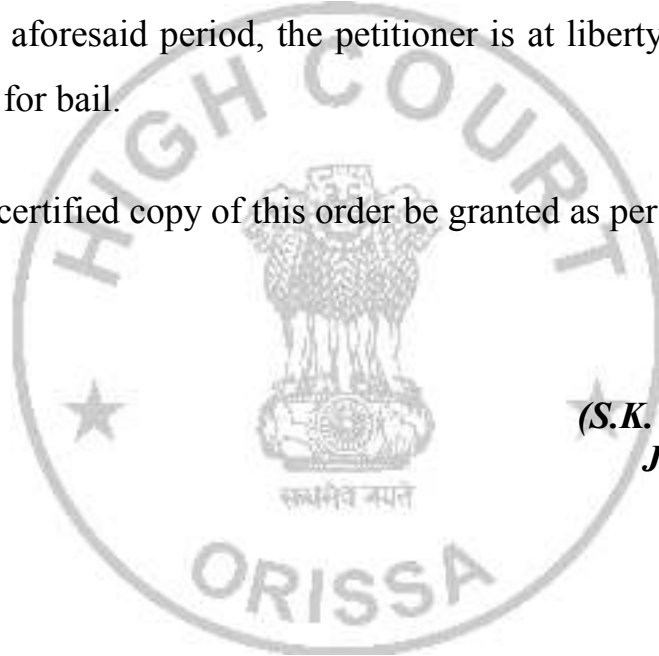
been examined. The informant is yet to be examined. The allegation is that the rape was committed on the woman belonging to S.T. category. The trial is in progress and likely to be concluded within next three months.

6. In view of such facts, this Court is not inclined to grant bail to the petitioner. Accordingly, the CRLA is dismissed.

7. However, the trial court is directed to complete the trial within a period of four months from today. If the trial is not completed within the aforesaid period, the petitioner is at liberty to approach this Court for bail.

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

PCD



(S.K. Panigrahi)
Judge