

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10844 of 2022

Sushanta Singh

....

Petitioner

Mr. S. Bahadur, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
20.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with C.T. Case No.750 of 2022, pending in the Court of the learned J.M.F.C., Betnoti, arising out of Badasahi P.S. Case No.250 of 2022, for alleged commission of offences under Sections 376/506 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Mayurbhanj, Baripada, by order dated 21.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner is in custody since 05.09.2022 and since charge-sheet has been filed on 26.10.2022, further continuance of the petitioner in custody is unwarranted.
5. Learned counsel for the State opposes the prayer for bail.
6. Perused the 164 Cr.P.C. statement of the victim.

7. Considering the tenor thereof, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

8. Before releasing the petitioner, learned Court in seisin shall verify assertion regarding the criminal antecedents of the petitioner. If it comes to the fore that the petitioner has **any criminal antecedent**, this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

Ayesha

