

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.10369 OF 2021

Nistar Aind

....

Petitioner

Mr. Julu Khansama, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. Samapika Mishra, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

21.01.2022

Order No.

01. 1. This matter is taken up by video conferencing Mode.
2. The Petitioner being in custody in connection with Jujumura P.S. Case No.63 of 2021 corresponding to S.T. Case No.67 of 2021 arising out of G.R. Case No.1796 of 2021 on the file of learned Sessions Judge, Sambalpur, running for commission of offence under Section-376(2)/376(2)(i)/506 of the IPC, has filed this application under Section 439 of the Cr.P.C. for his release on bail in the above mentioned case.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Considering the submissions made and on going through the materials on record and as also the surrounding circumstances; while being not inclined to grant of bail to the Petitioner at this stage; this application is disposed of granting liberty to the Petitioner to renew his prayer for grant of bail

before the Trial Court after examination of the victim in the trial. The Trial Court is directed to take all such effective steps as provided in law for early examination of the above witness so as to enable the Petitioner to early exercise the liberty as aforegranted.

5. The BLAPL is accordingly disposed of.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned Counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 as modified by Court's Notice No.4798 dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(D. Dash)
Judge.

Narayan