

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10912 of 2021

***Santosh Kumar
Samal@Chandia***

...

Petitioner

*Mr. Dharanidhar Nayak,
Sr. Advocate,*

-Versus -

State of Odisha

Opposite Party

....

*Mr.A. Pradhan,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

15.02.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 02.12.2021 in connection with Balimi P.S. Case No. 46 of 2002 corresponding to G.R. Case No. 123 of 2002 pending in the court of learned Sub-Divisional Judicial Magistrate, Hindol for the alleged commission of offence under Section 376 of IPC.
4. The petitioner had approached this Court earlier in ABLAPL No. 13461 of 2021, which was disposed of directing the petitioner to surrender before the learned S.D.J.M., Hindol in the 1st hour and in case of rejection to move the higher forum on the same day. Accordingly, the petitioner surrendered before learned S.D.J.M., Hindol on 02.12.2021 and moved for bail, which being rejected, he moved the learned Assistant Sessions Judge, Hindol on the same

day for bail, which also came to be rejected.

5. Considering the submissions made, the nature of allegations and the period of detention already undergone, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

6. The BLAPL is accordingly disposed of.

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



(Sashikanta Mishra)
Judge

B.C. Tudu