

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11587 of 2021

Sailendra Munda

.... ***Petitioner***
Mr. S. Panda, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. S.R. Roul, ASC

CORAM:
JUSTICE G. SATAPATHY

ORDER
07.12.2022

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the petitioner for grant of bail in connection with Ghatagoan P.S. Case No.1868 of 2019 corresponding to S.T. Case No.27 of 2020 pending in the Court of learned Additional Sessions Judge, Keonjhar for commission of offences punishable under Sections 323/363/376-D of IPC, on the allegation of kidnapping and committing Gang Rape upon the victim.
 3. In the course of hearing of the bail application, Mr. S. Panda, learned counsel for the petitioner submits that although the petitioner has been detained in custody for last three years, but trial is yet to be concluded and the petitioner having falsely implicated in this case may kindly be enlarged on bail.
 4. On the contrary, Mr. S.R. Roul, learned A.S.C. for the State

submits that the victim has implicated the petitioner for commission of the offences upon her and, thereby, the petitioner is not entitled to be released on bail. It is accordingly prayed by him to reject the bail application of the petitioner.

5. Considering the rival submissions made, the nature and gravity of accusations raised against the petitioner as also the gravity of offence alleged and taking into consideration the specific allegation against the petitioner for Gang Rape of the victim and taking into consideration other circumstances in entirety, this Court does not find any merit in the bail application of the petitioner.

6. Hence, the prayer for bail of the petitioner stands rejected. Trial be expedited and the petitioner may renew his prayer for bail after examination of the victim as submitted by learned counsel for the petitioner.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge