

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11641 of 2021

Kalia Pradhan

.... ***Petitioner***
Mr. S. Dwibedi, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. S.N. Das, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
29.08.2022

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 G.Udayagiri P.S. Case No.55 of 2021 corresponding to S.T. Case No. 78 of 2021 arising out of C.T. Case No.187 of 2021 pending in the Court of learned Additional Sessions Judge, Balliguda for commission of offences punishable under Sections 376(1)/506 of I.P.C.
 3. In the course of hearing of the bail application, learned counsel for the petitioner submits that the petitioner has been detained in custody with all concocted materials and there is no iota material to implicate the petitioner for offence of rape and the victim being a relative of the petitioner has falsely implicated him herein in this case. Learned counsel for the petitioner on these submissions urged to release the petitioner on bail.
 4. Learned counsel for the State, strongly opposes the bail application of the petitioner and he submits that the allegations levelled against the petitioner are very serious and the petitioner

should not be allowed to go on bail.

5. Considering the nature and gravity of allegations and keeping in mind the period of detention of the petitioner since 29.06.2021 and the nature, character and strength of supporting materials and no material being collected by the prosecution to indicate that the petitioner would abscond or tamper the evidence and regard being had to the social status of the petitioner and his avocation, this Court considers the bail application of the petitioner favourably.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bond of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall attend the trial Court on each date of trial without fail unless his attendance is dispensed with by the learned trial Court and shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

7. Accordingly, the BLAPL stands disposed of.

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

(G. Satapathy)
Judge

Subhasmita