IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4237 of 2024

Vepanjeri Delieep Kumar .... **Petitioner**

Mr. Basudev Mishra, Advocate

-versus-

State of Odisha .... **Opp. Party**

Mr. U.R. Jena, AGA

CORAM:
JUSTICE SIBO SANKAR MISHRA

Order No.	**ORDER** **03.12.2024**
06.	**1.** This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
	2. This is an application under Section-439 Cr.P.C.
	3. Heard learned counsel for the petitioner and learned counsel for the State.
	4. Notice was issued to the victim in the present case. Despite service of notice through the IIC, Raighar Police Station, none appears for the victim.
	5. The petitioner is aggrieved by the order dated 15.04.2024 passed by the learned Additional Sessions Judge, Umerkote, whereby his bail plea has been rejected.
	6. The statement of the victim has been recorded by the police under Section 164 of Cr.P.C. She has made specific allegations against the petitioner and

the allegations are serious in nature. Charge sheet has been filed on 15.05.2024 for the alleged offences punishable under Sections 370(3)/ 376(D)/ 294/ 323/ 354/ 506/34 of the IPC. The petitioner is in custody since 18.03.2024.

7. Regard being had to the gravity of the offences and the fact that the victim has made statement before the learned Magistrate under Section 164 of Cr.P.C. making specific allegations against the petitioner, I am not inclined to enlarge the petitioner on bail at this stage. However, liberty is granted to the petitioner to renew his bail plea before the learned trial Court after the victim is examined. It is expected that the learned trial Court would do well to see that the victim is preferentially examined before the formal witnesses.

8. With this observation, the BLAPL stands disposed of.

(S.S. Mishra)
Judge

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Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 07-Dec-2024 09:44:39