

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2005 of 2023

Sashi Sekhar Pahadsingh

....

Petitioner

Mr. P. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

10.04.2023

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with G.R. Case No.29 of 2023, pending in the Court of the learned J.M.F.C., Ranpur, arising out of Chandpur P.S. Case No.13 of 2023 for commission of alleged offences under Sections 376(2)(n)/341/294/323/506/385/354/34 of IPC, 1860 and under Section 66(D)/66(E)/67/67(A) of the Information Technology Act, 2000.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Nayagarh by order dated 10.02.2023 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner is in custody since 23.01.2023.

5. Relying on the 164 Cr.P.C. statement of the victim, learned counsel for the petitioner submits that since charge sheet against the petitioner has been filed on 23.02.2023 keeping the investigation open 173(8) of the Cr.P.C. for apprehension of the principal accused, his further continuance in custody is unwarranted.
6. Learned counsel for the State opposes the prayer for bail.
7. Perused the 164 Cr.P.C. statement of the victim.
8. Considering the nature of allegation qua the present petitioner, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.
9. While releasing the petitioner on bail, learned Court below shall verify assertion regarding the **criminal antecedent of similar nature**. If it comes to fore that the petitioner has any such criminal antecedent, this order shall stand recalled.
10. Accordingly, the BLAPL stands disposed of.
11. Urgent certified copy of this order be granted as per the rules.

Santoshi

(V. NARASINGH)
Judge