

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7275 of 2022

Dipuna @ Maheswar Patra

Petitioner

Mr. Deepak Kumar Sahoo, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

Mr. K. Nayak, Informant

CORAM: JUSTICE V. NARASINGH

ORDER
11.10.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner, learned counsel for the Informant and learned counsel for the State.
3. The Petitioner is an accused in G.R. Case No.1414 of 2022 pending in the file of learned S.D.J.M., Kendrapara, arising out of Patkura P.S. Case No.279 of 2022, for offence under Sections 292/500/506/507/354-D IPC and Section 66(c)/67 of the Information Technology Act and is in custody since 13.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Kendrapara by order dated 19.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is a young boy of 27 years and is in custody since

13.07.2022. It is stated that the charge sheet having been filed, further continuance of the Petitioner in custody is unwarranted.

6. Learned counsel for the Informant as well as learned counsel for the State opposes the prayer for bail of the Petitioner.

7. It is submitted by the learned counsel for the Informant that taking into account the conduct of the Petitioner that he has transgressed the privacy of the Informant, he ought not to be released on bail at this stage merely because charge sheet has been filed. It is also stated that the Petitioner has threatened the Informant and her family members.

8. Taking note of filing of the charge sheet and the period of custody and the nature of allegation, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

9. To address the legitimate concern of the learned counsel for the Informant and instill a sense of confidence in the Informant, this Court directs that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter once every week till conclusion of the trial and the Petitioner shall not directly or indirectly try to intimidate the Informant and her/her family members in any manner. It shall be open to the victim to seek variance of the order in the event there is any violation.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS