

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 6444 of 2022**

***Kadagala Bhaskar* .... *Petitioner***

Mr.S.S. Ray-2, Advocate

*-versus-*

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

*Mrs.Susamarani Sahoo*

*Addl. Standing Counsel*

*Mr. A.K. Behera, Advocate (for  
the informant)*

**CORAM:  
JUSTICE S.K. SAHOO**

**ORDER**

**03.11.2022**

**I.A. No. 1490 of 2022**

**Order No.**

02. This matter is taken up through Hybrid Arrangement  
(Video Conferencing/Physical Mode).

This is an application for interim bail.

Learned counsel for the State has produced the written instruction of the Jail Medical Officer, Sub-Jail, Paralakhemundi dated 03.10.2022 which indicates that the treating physician of D.H.H., Paralakhemundi examined the petitioner for Gingivitis and prescribed medicines and he is taking medicines regularly. The written instruction is taken on record.

In view of such report furnished, I am not inclined to grant interim bail to the petitioner.

The prayer for interim bail stands rejected.

The I.A. stands dismissed.

**( S.K. Sahoo )  
Judge**

**BLAPL No. 6444 of 2022**

03. Mr. A.K. Behera-2 files power for the informant, which is taken on record.

Heard learned counsel for the petitioner and learned counsel for the State as well as learned counsel for the informant.

This is an application under section 439 of Cr.P.C. in connection with Kasinagar P.S. Case No.59 of 2020 corresponding to G.R. Case No. 26 of 2020 pending in the Court of learned Additional Sessions Judge -cum- Special Judge, Paralakhemundi for offences punishable under sections 376DA, 363, 366, 120-B, 292, 292-A of the Indian Penal Code and sections 67(b) and 66E of the Information Technology Act.

The prayer for bail of the petitioner was rejected by the learned Additional Sessions Judge -cum- Special Judge, Paralakhemundi vide order dated 16.04.2022.

It appears from the status report dated 12.10.2022 submitted by the learned trial Court that non-bailable warrant of arrest has been issued against one co-accused T.Shankar for which the case could not proceed.

Considering the nature of accusation against the petitioner, while not inclining to release the petitioner on bail, I direct learned trial Court to split up the case against the absconding accused and proceed against the petitioner after framing of charge and take steps for examination of the victim at the first instance. The petitioner is at liberty to renew the prayer for bail after examination of the victim in the learned trial Court.

The BLAPL is accordingly disposed of.

A copy of the order be communicated to the learned trial Court forthwith.

**( S.K. Sahoo )  
Judge**



PKSahoo