

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 48 of 2022

Dhiren Pradhan

....

Petitioner

Mr. A.K. Nath, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

22.03.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. It is submitted by learned State Counsel that notice on the victim has already been served, there is however no appearance from her side, hence the bail application is taken up for hearing.
3. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
4. The petitioner is in custody since 28.07.2021 in connection with Samal Barrage P.S. Case No.164 of 2021 corresponding to Special (POCSO) Case No. 50/2021 pending in the Court of learned ADJ-cum-Special Court under POCSO Act, Angul for the alleged commission of offence under Sections 363/376(3) of IPC, read with Section 4 of POCSO Act.
5. Though the allegation against the petitioner that he had kidnapped the victim and committed forcibly sexual intercourse on her, yet such fact is not fully substantiated from the statement of the victim recorded under Section 164 Cr.P.C. as also the medical examination report.

6. Having regard to the above and the period of detention in custody, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

