

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.126 OF 2022

Muna Michael @ Abhinash Moharana ***Petitioner***

Mr. B. Mohapatra, Advocate

-versus-

State of Odisha ***Opposite Party***
Ms. S. Mishra, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
01.02.2022

Order No.

- 01.
1. This matter is taken up by video conferencing mode.
 2. The Petitioner being in custody in connection with Badambadi P.S. Case No.366 of 2021 corresponding to G.R. Case No.168 of 2021 on the file of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Cuttack, running for the commission of offence under section 354-A/294/323/504/34 of the IPC read with section-12 of the POCSO Act, has filed this application under section 439 of the Cr.P.C. for his release on bail in the above mentioned case.
 3. Heard learned counsel for the Petitioner and learned counsel for the State.
 4. Taking into account the submissions made; further keeping in view the materials on records with other surrounding circumstances as also the period of detention of the Petitioner in custody and on going through the order passed by the learned Additional District Judge-cum- Special Court under POCSO

Act; in the absence of any such impediment; it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions as deemed just and proper by the court in seisin of the case with further conditions that, the Petitioner will not threaten or terrorize the prosecution witnesses including the victim in any manner; will not indulge himself in any criminal activity; and will not contact with any of the prosecution witnesses in any manner.

Violation of any of the condition(s) shall entail cancellation of bail.

5. The BLAPL is accordingly disposed of.

As the restrictions due to resurgence of COVID-19 situation are continuing, learned Counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 as modified by Court's Notice No.4798 dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

**(D.Dash),
Judge.**

Narayan