

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.172 of 2020

Pradeep Naik

....

Petitioner

Mr. Susanta Kumar Rout, Adv.

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, ASC

CORAM:

JUSTICE S.K. PANIGRAHI

ORDER

03.01.2022

Order No.

13.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Parties.
3. The Petitioner being in custody in Samal Barrage P.S. Case No.89 of 2019 corresponding to Special (POCSO) No.42 of 2019, pending in the court of the learned Additional District and Sessions Judge-cum-Special Judge (P), Angul, registered for the alleged commission of offences under Sections 363/ 387/ 506/ 376(2)(n)/ 34 of the I.P.C. read with Section 6 of the POCSO Act, has filed this petition for his release on bail.
4. The allegation of the prosecution is that on 13.06.2019 at about 9.00 P.M. the daughter of the informant found to be missing from the house. The informant and her family members searched for her, but did not find her. On 18.06.2019 morning, phone calls were received by the informant from Mobile Nos.9438832334 and 9381183920. One person told the informant over phone that he had kidnapped her daughter and

demanded Rs.20 lakhs as ransom. He threatened to kill her daughter, if money is not given to him. Later, the informant came to know that the person threatened her is Pradeep Naik @ Silu, son of Prafulla Naik of village Kadapada, P.S.- Parjang, District- Dhenkanal. He is a married person and father of two sons. One Gandhi Naik, son of Bichhanda Naik of the same village came with Silu by a motor cycle and kidnapped her daughter.

5. Learned counsel for the Petitioner submits that the Petitioner has been falsely implicated in this case. He further submits that the Petitioner is in custody since 19.06.2019. The trial has not yet commenced. Hence, he submits that the Petitioner may be granted bail on any terms and condition.

6. Learned counsel for the State vehemently opposes the prayer for bail.

7. Considering such facts and submissions made and the nature and gravity of the accusation, character of evidence appearing against the Petitioner, the stringent punishment provided, this Court is not inclined to grant bail to the Petitioner.

8. Accordingly, the BLAPL stands dismissed.

9. However, the Petitioner may renew his prayer for bail after the charge is framed.

10. Urgent certified copy of this order be granted on proper application.

(S.K. Panigrahi)
Judge