

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.206 of 2022

Patia @ Laxmidhar Mahalik

....

Petitioner

Mr. D. Sahoo
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P.K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

21.6.2022.

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 9th June, 2021 in connection with Singla P.S. Case No.116/2021 corresponding to Special Case No.139/2021 pending in the court of learned Special Judge, Balasore for the alleged commission of the offence under Sections 363/366/342/376(2)(n)/506/34 of I.P.C. read with Section 6 of the POCSO Act.

4. It is alleged that the Petitioner being associated with another person forcibly abducted the victim and kept her in a different village and repeatedly assaulted her sexually. The medical examination report, prima facie, does not support the allegation of sexual assault.

5. Considering the above, the materials on record, the period of detention of the Petitioner in custody, submission of charge sheet in the mean time and in particular the statement of the victim recorded under Section 164 of Cr.P.C., I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the trial court on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

