

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 237 of 2022

Bishnu Singh @ Naik

....

Petitioner

Mr. S.K. Dash, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.07.2022

Order No.
05.

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. Learned State Counsel has obtained instructions from the concerned IIC that the victim is no longer staying with the informant and that she has left home along with her new born child. It is further informed that the informant denied to have any knowledge regarding the present whereabouts of her daughter (victim) and her new born child.
4. The petitioner is in custody since 14.08.2019 in connection with Brahmanitarang P.S. Case No.201 of 2019 corresponding to Spl. G.R. Case No.68 of 2019 pending in the Court of learned A.D.J.,-cum-Special Court (POCSO), Sundargarh for the alleged commission of offence under Sections 376(3)(376(2)(n) of IPC read with Section 6 of POCSO Act.
5. It is alleged that the petitioner and the victim had a love relationship, but the petitioner is said to have forcibly raped her. In the statement recorded under Section 164 Cr.P.C. the victim states

that she had gone to the house of the petitioner, wherein he committed rape on her, due to which she became pregnant.

6. Considering the above facts, the materials on record and the long period of detention of the petitioner in custody without trial, 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 court in seisin over the matter 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

