

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 294 of 2022

Madan Pradhan

....

Petitioner

Mr. R.N. Rout, Advocate

- Versus -

State of Orissa

.... **Opposite Party**

Mr. S.K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

24.06.2022

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 11.10.2021 in connection with Jagannath Prasad P.S. Case No.329 of 2021 corresponding to G.R. Case No.181 of 2021 pending in the Court of learned ADJ-cum- Spl. Court under POCSO Act, Berhampur for the alleged commission of offence under Sections 452/342/376(2)(n)/506 IPC read with Section 9 of POCSO Act.
4. It is alleged that the petitioner entered into the house of the victim while she was alone and after locking the door from inside raped her.
5. It is submitted that the petitioner and the victim were in relationship prior to the occurrence, which is evident from the statement of the victim recorded under Section 164 Cr.P.C. to the effect that on as many as seven occasions the petitioner had committed sexual intercourse with her prior to the occurrence.

6. Considering the submissions, materials on record, the period of detention in custody and in particular the statement of the victim recorded under Section 161 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 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

