

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.591 of 2022

Udaya @ Sinku Nayak @ Uday

....

Petitioner

Mr. Partha Sarathi Das,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Sitikanta Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

30.6.2022.

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 16th September, 2021 in connection with Telkoi P.S. Case No.112/2021 corresponding to S.T. Case No.85/2021 pending in the court of learned Asst. Sessions Judge (Women's Court), Keonjhar for the alleged commission of the offence under Sections 376(i)/323/506/34 of I.P.C.

4. It is alleged that the Petitioner forcibly committed sexual intercourse on the victim who is a married lady. It is submitted that the relation between the Petitioner and the victim was consensual in nature.

5. Considering the submissions made, the materials on record, the period of detention in custody 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.

6. 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 personally before the court below on each date of posting of the case without fail.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge