

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.813 of 2021

Dhuku Mahakud

....

Petitioner

Mr.Abhishek Dash, Advocate

-versus-

State of Odisha and another

....

Opp.Parties

Mr.K.K.Das, Additional Standing Counsel for the State

Mr.S.K.Dwibedi, Advocate for Opp.Party No.2-Informant

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

07.3.2022

Order No.

10.

1. Heard Mr.A.Dash, learned counsel for the Petitioner, Mr.K.K.Das, learned Additional Standing Counsel for the State and Mr.S.K.Dwibedi, learned Advocate for Opposite Party No.2.

2. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner in connection with C.T.Case No.117 of 2018 arising out of Jharpokharia P.S.Case No.88 of 2018 pending in the court of the learned P.O. Special Court POCSO, Mayurbhanj, Baripada for alleged commission of offence under Sections 363/376(2)/376(3) of the I.P.C., Section 6 of the POCSO Act and Sections 3(1)(w)(ii)/(2)(v)(va) of the SC & ST (PA) Act.

3. It is submitted that the Petitioner is inside custody since 18.9.2018 and in the meantime charge-sheet being submitted upon completion of investigation, charge has already been

framed for the offences afore-stated. It is further submitted that as per the statement of the victim, she was in love relationship with the Petitioner and they together fled away.

4. Upon hearing Mr.Das, learned Additional Standing Counsel for the State and Mr. Dwibedi for O.P. No.2, and considering the statement of the victim recorded under Section 164 Cr.P.C as well as the circumstances of the case, it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions to be fixed by the learned court below in seisin over the matter, including the condition that he shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

5. The BLAPL is disposed of.

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

(B.P. Routray)
Judge