

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1080 of 2022

***Landu Barla @ Landu @ Dakua
Barla***

....

Petitioner

Mr. S.R.Mohapatra
Advocate

-versus-

State of Odisha and another

....

Opposite Parties

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
17.3.2022.

Order No.

03.

1. This matter is taken up through hybrid mode.

2. Heard Mr. S.R.Mohapatra , learned counsel for the Petitioner and Mr. P.K.Maharaj, learned Addl. Standing Counsel for the State.

3. The Petitioner is in custody since 30th September, 2021 in connection with Kalinganagar P.S. Case No.216/2021 corresponding to C.T. Spl. (POCSO) Case No.138/2021 pending in the court of learned Addl. Sessions Judge-cum-

Special Judge, Jajpur for the alleged commission of the offence under Sections 376(AB)/363/354/506 of I.P.C.

4. The prosecution allegation is that the Petitioner forcibly committed sexual intercourse on the victim girl, who is aged about nine years, as a result which she sustained bleeding injuries on her private parts. Surprisingly, however, the medical examination report of the victim, who was examined within 24 hours of the alleged occurrence, does not at all support such allegation.

5. Having regard to the above, the period of detention in custody and the fact that charge sheet has already been submitted in the case, 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 before the trial court 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

