

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1203 of 2022

Bailochan Sabar

.... Petitioner

Mr. J.N.Panda
Advocate

-versus-

State of Odisha and another

.... Opposite Parties

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.3.2022.

Order No.

03.

1. This matter is taken up through hybrid mode.
2. It is submitted that notice has been served upon the victim. Mr. Arun Kumar Das-1, enters appearance on behalf of the victim by filing Vakalatnama. The same be kept on record.
3. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State and learned counsel for the informant.
4. The Petitioner is in custody since 25th March, 2022 in connection with Bhawanipatna Town P.S. Case

No.222/2020corresponding to C.T. Case No.751/31 of 2020-21(POCSO) pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Bhawanipatna for the alleged commission of the offence under Sections 363/366/376(3)/376(2)(n) of I.P.C and Sections 6/12 of the POCSO Act.

5. As it appears that the informant as well as the victim, who have been examined as witnesses in the ongoing trial in the court below, have not supported the case of the prosecution. Moreover, the victim has not whispered even a word regarding the so-called forcible sexual intercourse by the Petitioner.

6. Having regard to the above circumstances, I am inclined to allow the prayer for bail. 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

