

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1295 of 2022

Bapun Das @ Shrutan Das

....

Petitioner

Mr. P. Sahoo, Advocate

- Versus -

State of Odisha and Anr.

....

Opp.Parties

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.09.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Learned State Counsel submits that notice on the victim/informant has already been served. However, there is no appearance from her side. Hence, the bail application is taken up for hearing.
3. The petitioner is in custody in connection with Sulliapada P.S. Case No.69 of 2021 corresponding to C.T. Case No.57 of 2021 pending in the Court of learned Presiding Officer, Special Court under POCSO Act, Baripada, Mayurbhanj for the alleged commission of offence under Sections 376AB/ 376(2)(n)(f)/506 of IPC.
4. Considering the nature of allegations and the existence of materials prima facie in support thereof including the statement of the victim recorded under Section 164 Cr.P.C., I am not inclined to allow the prayer for bail, which is therefore, rejected.
5. It is however, open to the petitioner to renew his prayer after examination of the victim during trial. Learned trial court shall make an endeavor to examine the victim at the first instance.

(Sashikanta Mishra)

Judge