

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1384 of 2022

Nikun Sahoo

.... Petitioner

Mr. A.K.Nath
Advocate

-versus-

State of Odisha

.... Opposite Party

Mr.A. Pradhan,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.03.2022.

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 10th September, 2021 in connection with Kaniha P.S. Case No.231/2021 corresponding to Special (POCSO) Case No.61/2021 pending in the court of learned Addl. District Judge-cum-Special Court under POCSO Act, Angul for the alleged commission of the offence under Sections 363/366/506/109/376(2)(n)/34 of the I.P.C. and Section 6(1)/17 of POCSO Act.

4. Though it is alleged that the Petitioner forcibly took the victim to a Mango grove and committed rape on her once and thereafter in another house, the medical examination report of the victim does not at all support such allegation even though the Petitioner is aged about 16 years.

5. Having regard to the above facts, 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