

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1553 of 2022

***Tinku @ Bana @ Bhanupratap
Samal***

....

Petitioner

Mr. J. Pal,
Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
23.9.2022.**

Order No.

04.

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. This is the second journey of the Petitioner after his earlier application was rejected vide order dated 28.10.2021 passed in BLAPL No.1000/2020. The present application has been filed as in the mean time trial has begun and the informant has been examined as witness.
4. The Petitioner is in custody since 19th January, 2020 in connection with Pattamundai P.S. Case No.30/2020 corresponding to G.R. Case No.5/2020 pending in the court of learned Addl. District and sessions Judge, Kendrapara for the

alleged commission of the offence under Sections 363/242/294/506/376DA/109 of the I.P.C. and Sections 4/6 of the POCSO Act.

5. It is submitted by Mr. Pal that the victim has not implicated the Petitioner in her testimony. The informant has also not stated anything against her. A perusal of the copies of depositions furnished by the Petitioner in Court shows that the victim has expressed her ignorance as regards the present Petitioner and has not implicated him in any manner.

6. Taking into consideration all the above facts, the materials on record and the period of detention of the Petitioner in custody, 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 personally before the trial court on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take him to custody again.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

