

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 1279 OF 2021

Seema Sarkar

..... ***Petitioner***
Mr. R.K.Pattnaik, Adv.

-versus-

State of Odisha

..... ***Opposite Party***
Mr. K.K.Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
20.04.2022

Order No.
03.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in connection with T.R. Case No.56 of 2020 corresponding to Malkangiri P.S. Case No. 456 of 2020 on the file of learned Additional Sessions Judge-cum-Special Judge, Malkangiri, registered for the alleged commission of offence under Sections 370/370-A/366-A/372/373/376-3/342/34 of the I.P.C. read with Sections 4, 5, 6, & 7 of the Immoral Traffic (Prevention) Act, 1956 and Sections 6/17 of the POCSO Act and Sections 66-E/67-B of I.T. Act
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Malkangiri by order dated 9.02.2021, the present BLAPL has been filed.

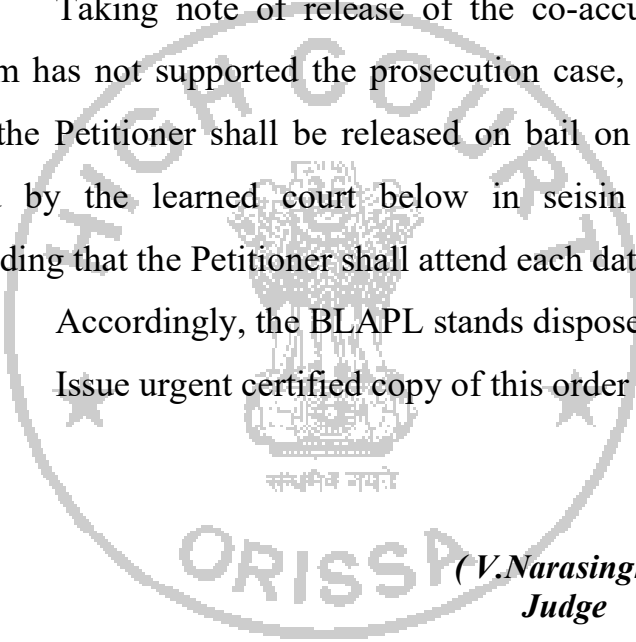
5. The learned counsel for the Petitioner relying on the orders of this Court dated 20.09.2021 in BLAPL No.1219 of 2021, dated 23.08.2021 in BLAPL No. 1303 of 2021, dated 17.11.2021 in BLAPL No. 7149 of 2021 and dated 04.04.2022 in BLAPL No. 1285 of 2021 seeks intervention of this Court inter alia, on the ground of parity.

6. On perusal of the statement of the victim examined as P.W.5, it is seen that she has resiled from her accusation.

7. Taking note of release of the co-accused and that the victim has not supported the prosecution case, this Court directs that the Petitioner shall be released on bail on such terms to be fixed by the learned court below in seisin over the matter including that the Petitioner shall attend each date of trial.

8. Accordingly, the BLAPL stands disposed of.

9. Issue urgent certified copy of this order as per Rules.

The seal of the Orissa High Court is a circular emblem. It features a central figure, likely a deity or a historical figure, seated on a throne. Above the figure is a canopy. The text 'ORISSA' is written in large, bold, capital letters across the bottom of the seal. Above the central figure, there is text in Odia script. The seal is surrounded by a decorative border.
(V.Narasingh)
Judge

Dhal