

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1658 of 2022

Hareswar Payasingh

....

Petitioner

Mr. S.N.Mishra-4,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
21.3.2022.

Order No.

01. 1. This matter is taken up through virtual mode.
2. Learned counsel for the Petitioner submitted that the offences have been wrongly mentioned in Paragraph-1 of the Bail Application and, therefore, he seeks permission to correct the same.
3. Considering the submissions, permission is granted. Learned counsel shall make necessary corrections in Court today.

4. Heard Mr. S.N.Mishra-4, learned counsel for the Petitioner and Mr.S.K.Mishra, learned Addl. Standing Counsel for the State.

5. The Petitioner is in custody since 23rd November, 2021 in connection with Bhawanipatna Sadar P.S. Case No.422/2021 corresponding to C.T. Case No.103/2021(POCSO) pending in the court of learned Addl. District Judge-cum- Special Court under POCSO Act, Bhawanipatna for the alleged commission of the offence under Sections 363/366/376 (2)(n) of I.P.C. and Section 6 of POCSO Act.

6. It is submitted that the Petitioner committed forcible sexual intercourse on the victim for a considerable period of time, but the medical examination report does not at all support such fact.

7. Considering the submissions made, the materials on record, 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.

8. 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.

9. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

