

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1705 of 2022

Rakesh Bag

....

Petitioner

Mr. S. Dwibedi,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.A. Pradhan
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.4.2022.

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 4th February, 2022 in connection with M. Rampur P.S. Case No.26/2022 corresponding to C.T. Case No.12/2022 pending in the court of learned Addl. Sessions Judge-cum-Special Court under POCSO Act, Bhawanipatna for the alleged commission of the offence under Sections 294/323/376(2) (n)/506/34 of I.P.C. read with Section-6 of the POCSO Act.

4. Though the allegation is that the Petitioner committed rape on the victim, yet from the statement of the victim recorded under Section 164 of Cr.P.C. such allegation is prima facie not made out. Moreover, the victim appears to be aged about 21 years.

5. Having regard to the above facts and the period of detention in custody of the Petitioner, 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 before the court below on each date of posting of the case without fail.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge