

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1959 of 2022

Bapi @ Suryakanta Panda

....

Petitioner

Sk. Kalimuddin, Advocate

- Versus -

State of Odisha & Another

....

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

28.03.2022

Order No.

1.

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 14.01.2022 in connection with Balikuda P.S. Case No.336 of 2021 corresponding to Spl. G.R. Case No.01 of 2022 pending in the Court of learned Addl. Sessions Judge-cum- Special Judge, Jagatsinghpur for the alleged commission of offence under Sections 363/366/372(2)(n) of IPC read with Section 6 of POCSO Act.
4. From the statement of the victim recorded under Section 162 Cr.P.C. as also Section 164 Cr.P.C. of the victim it becomes evident that she had left home on her own will as she had love relationship with the petitioner. Moreover, there is no allegation of any sexual assault in the statement under Section 161 Cr.P.C.
5. Having regard to the above factors, the period of detention and the fact that charge sheet has already been submitted, I am inclined

to allow the prayer for bail keeping in view the period of detention and the fact that charge sheet has already been submitted in the case. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

