

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2113 of 2022

Nathuram Hasada

....

Petitioner

Mr. A.K.Sahoo
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P.K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

28.03.2022.

Order No.

01. 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 30th December, 2021 in connection with Deogarh P.S. Case No.492/2021 corresponding to C.T. Case No.914/2021 pending in the court of learned S.D.J.M., Deogarh for the alleged commission of the offence under Sections 376(2)/313/506 of I.P.C.

4. Though it is alleged that the Petitioner forcibly committed sexual intercourse on the victim, yet there are several discrepancies in the statement of victim recorded under Section 161 of Cr.P.C. That apart, her statement under Section 161 of Cr.P.C. varies in material particulars with her own statement recorded under Section 164 of Cr.P.C.

5. Having regard to the above facts, 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.

6. 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.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge