

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2248 of 2022

Deepak Kumar Subudhi

....

Petitioner

Ms. S.Pradhan
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.7.2022.

Order No.

06.

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 17th January, 2022 in connection with Nandakanan P.S. Case No.6/2022 corresponding to G.R. Case No.43/2022 pending in the court of learned J.M.F.C.(0), Bhubaneswar for the alleged commission of the offence under Section 376(2)(n) of the I.P.C.

4. It is submitted that the Petitioner and the victim had consensual relationship for considerable period of time and, therefore, the allegation made in the F.I.R. is entirely false. The statement of the victim recorded under section 164 Cr.P.C. prima facie supports the submission as above.

5. Considering the submissions made, the materials on record and the period of detention of the Petitioner in custody, 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 trial court on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge