

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2287 of 2022

Buddhan Sahani @ Budhan Sahani

Petitioner

Mr. S. Dwibedi,
Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.4.2022.

Order No.

- 04.
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 8th December, 2021 in connection with Biswanathpur P.S. Case No.90/2021 corresponding to C.T. Case No.113 of 2021 (POCSO) pending in the court of learned Addl. Sessions Judge-cum-Special Court under POCSO Act, Bhawanipatna for the alleged commission of the offence under Section 363 of I.P.C. read with Section 12 of the POCSO Act.

4. Though the allegation is that the Petitioner forcibly carried the victim girl, yet in the statement recorded under Section 164 of the Cr.P.C., the victim has not named any person. Further, there is no allegation of any sexual assault.

5. Considering the above facts and the period of detention 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 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