

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.2321 of 2022**

***Damodar Das***

....

***Petitioner***

Mr. S. Das,  
Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

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

**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**ORDER**

**04.4.2022.**

**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 17<sup>th</sup> January, 2022 in connection with Puri Town P.S. Case No.15/2022 corresponding to G.R. Case No.101/2022 pending in the court of learned S.D.J.M., Puri for the alleged commission of the offence under Section 376 of I.P.C.

4. Though the allegation against the Petitioner is that he had committed sexual intercourse forcibly on the victim lady against her will, yet fact remains that she did not submit herself to medical examination immediately after occurrence. That apart, the very nature of the allegation made as revealed from the F.I.R. raises certain reasonable doubts regarding the veracity thereof.

5. Having regard to the above facts, the materials on record 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***