

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2381 of 2022

Lochan Rana

....

Petitioner

Mr. A.P. Bose, Advocate

-versus-

State of Odisha & others

....

Opposite Parties

Mr. G.R. Mohapatra, A.S.C.

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

19.04.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner being in custody in connection with Sessions Case No.15 of 2021 corresponding to Larambha P.S. Case No.134 of 2020 pending in the Court of learned Addl. Sessions Judge, Patnagarh for commission of offence under Sections 376(2)(n)/506/34 IPC, has filed this petition for bail.
4. The case of the prosecution, in brief, is that opposite party no.2 as informant lodged an FIR before the I.I.C. Larambha police station alleging *inter alia* that in the last month of Jyastha, when the informant had been to the back side of her house to attend call of nature, the petitioner came there and forcibly caught hold of her and asked her if she would love him or not. When she denied, he led down her on the ground and

committed rape on her. It is also alleged that when she raised hulla, he threatened to throttle her neck. After committing rape, he threatened to kill her and her family members, if she discloses such fact before anybody. As a result, she became pregnant and the case was registered. During the course of investigation, the petitioner was arrested and forwarded to Court.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the prosecutrix is aged about 21 years. There was love relationship between them since long. When the parents of the accused persons were not agreed to their marriage, the prosecutrix being instigated by her parents, lodged the present case. The petitioner is in custody since 20.10.2020.

6. Learned counsel for the State vehemently opposed the prayer for bail with the submission that the petitioner has committed rape repeatedly on promise of marriage but subsequently threatened to abort her pregnancy which is heinous in nature. Hence, the petitioner should not be released on bail.

7. It is submitted that the trial is in progress and out of 15 prosecution witnesses, three have already been examined.

8. Considering the facts of the case and the fact that the trial is going on, I am not inclined to grant bail to the petitioner at this stage. Hence, the BLAPL is rejected.

9. However, the trial court is directed to complete the trial of the case within a period of six months from today, if there is no other impediment.

(S.K.Panigrahi)
Judge

