

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2004 of 2021

Rakesh Digal@Akhila

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. D.K. Pani, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

04.02.2022

Order No.

09.

1. This matter is taken up through video conferencing.
2. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.363/366/376(2)(n), I.P.C. and Sec.6 of the POCSO Act.
3. Heard Mr. A.R. Panda, learned counsel for the Petitioner as well as Mr. D.K. Pani, learned A.S.C. for the State-Opposite Party.
4. It is submitted that the Petitioner is inside custody since 19.1.2021 and in the meantime investigation has been completed. It is also submitted that as per the allegations, the victim and the Petitioner were in love relationship and stayed together separately.

5. After hearing learned A.S.C. for the State-Opposite Party and considering the statement of the victim recorded under Sec.164, Cr.P.C. as well as the circumstances of the case, it is directed to release the Petitioner on bail in connection with Tikabali P.S. Case No.5/2021 corresponding to C.T. Case No.2/2021 on such terms and conditions to be fixed by the learned Addl. Sessions Judge-cum-Special Judge (POCSO), Phulbani as he deems just and proper including the condition that the Petitioner shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo No.514, dated 7th January, 2022.

(B.P. Routray)
Judge