

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2579 of 2022

K. Pranay Kumar Dora

....

Petitioner

Mr. S.K. Mahanty, Advocate

- Versus -

State of Odisha & Anr.

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

24.09.2022

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 14.02.2021 in connection with Bhanjanagar P.S. Case No.49 of 2021 corresponding to G.R. Case No.31 of 2021 pending in the Court of learned Additional District Judge-cum-Special Court under POCSO Act, Berhampur, for the alleged commission of offence under Sections 376/511/384/506/34 of IPC read with Section 8 of POCSO Act and Section 3(1)(w)(i) of SC & ST (POA) Act.
4. It is alleged that the petitioner and some other persons attempted to commit rape on the victim and took her nude photographs. The accused persons are also threatened to make the said photographs viral. The victim has given a detailed statement before the Magistrate under Section 164 Cr.P.C which runs into five pages. Apart from the allegation that certain photographs were taken of her and she was threatened with dire consequences as also the fact that one of the accused persons attempted to commit rape on her, there is no other

allegation of sexual assault.

5. Considering the above facts, materials on record, the period of detention of the petitioner in custody and in particular the statement of the victim recorded under section 164 for Cr.P.C, I am inclined to allow the prayer for bail. Let the petitioner be released on bail in the aforesaid case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that he shall appear before the trial court below on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

