

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2616 of 2022

Sridhar Mohanty @ Kalia

....

Petitioner

Mr. P.K. Khuntia, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.05.2022

Order No.

3.

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 13.09.2021 in connection with Salipur P.S. Case No.198 of 2021 corresponding to Special G.R. Case No.105 of 2021 pending in the Court of learned Sessions Judge-cum-Special Court under POCSO Act for the alleged commission of offence under Sections 376(AB)/376(2)(f) of IPC read with Section 6 of POCSO Act.
4. Though the offence under Sections 376(AB)/376(2)(f) are alleged to have committed, yet from the materials on record and the statement of the victim recorded under Section 164 of Cr.P.C. it is evident that there was no penetration as the petitioner is said to have indulged in oral sex only.
5. Considering the above facts, as also taking into account 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 the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court 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

