

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2716 of 2022

Sushanta Patel

....

Petitioner

Mr. M.K. Mohapatro, Advocate

- Versus -

State of Odisha & Anr.

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

18.04.2022

Order No.

1.

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 08.02.2022 in connection with Dharamgarh P.S. Case No.09 of 2022 corresponding to C.T. No.22/14 of 2022 (POCSO) pending in the Court of learned Addl. Sessions Judge-cum-Special Court under POCSO Act, Bhawanipatna for the alleged commission of offence under Sections 363/366/376(2)(n) of IPC read with Section 6 of POCSO Act.
4. Though the allegation is that the petitioner kidnapped the victim and raped her, yet from the statement of the victim recorded under Sections 161 and 164 of Cr.P.C. it transpires that the petitioner and the victim were in love with each other and as the victim's marriage was fixed with a different persons she left home on her own will with the petitioner and together they went to Raipur.
5. Having regards to the materials on record, 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

