

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2789 of 2022

Prabhat Kumar Pradhan		Petitioner
		Mr. S.R. Subudhi, Advocate
	- Versus -	
State of Odisha		Opposite Parties
		Mr. P.K. Maharaj, Addl. Standing Counsel

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
19.07.2022

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. It is submitted by learned counsel for the State that notice on the victim has been served on 18.05.2022. There is however, no appearance from her side. Hence, the bail application is taken up for hearing.
4. The petitioner is in custody since 13.04.2021 in connection with Baliguda P.S. Case No.68 of 2021 corresponding to C.T. Case No.26 of 2021 pending in the Court of learned Addl. District and Sessions Judge-cum-Special Court under POCSO Act, Phulbani for the alleged commission of offence under Sections 363/376(3) of IPC.
5. It is alleged that the petitioner forcefully took the victim in his motorcycle and committed rape on her in a jungle. The medical examination report is entirely silent. The statement of the victim recorded under Section 164 Cr.P.C. reveals a different story.

6. Considering the above and taking into consideration 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.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

