

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2822 of 2022

Nityananda Majhi

.... **Petitioner**

Mr.A. Mishra, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

20.04.2022

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 30.12.2021 in connection with Kesinga P.S. Case No.497 of 2021 corresponding to C.T. Case No.468/118 of 2021 (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)/114 of IPC read with Section 3/17 of POCSO Act.
4. From the statement of the victim recorded under Section 161 Cr.P.C. it is evident that there is no allegation of sexual assault as against the petitioner. Only allegation against the petitioner is that he had harbored the victim and co-accused-Mukesh at Kerala where they arrived after having eloped.
5. Having regard to the above fact and taking into consideration the period of detention of the petitioner 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

