

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2986 of 2022

Sansar @ Narayan Hembram

....

Petitioner

Mr. J. Samantaray,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.7.2022.

Order No.

02.

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 22nd August, 2021 in connection with Bisoi P.S. Case No.108/2021 corresponding to C.T.. Case No.110/2021 pending in the court of learned Presiding Officer, Special Court under POCSO Act, Mayurbhanj for the alleged commission of the offence under Sections 376-D/342/506 of I.P.C. read with Section 6 of the POCSO Act.

4. It is alleged that the Petitioner asked the victim to bring cement from the godown and when the victim was inside the room, Narayan locked the door from outside whereupon the Petitioner committed rape on her. It is submitted that the case has been falsely initiated against the Petitioner and because of such false case, the victim has been penalized by the villagers by paying compensation of Rs.29,000/-.

5. Learned Addl. Standing Counsel for the State has opposed the prayer for bail by submitting that the so called decision of the villagers cannot be taken note of.

6. Considering the submissions as above, the nature of allegation and the existence of materials prima facie in support thereof, I am not inclined to allow the prayer for bail, which is therefore rejected.

7. It is open to the Petitioner to renew his prayer after examination of the victim during trial.

AKB

(Sashikanta Mishra)
Judge