

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3569 of 2022

Susil Kumar Mohanty

....

Petitioner

Mr. R. Mohapatra, Adv.

- Versus -

State of Odisha & Anr.

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

14.10.2022

Order No.
09.

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 20.07.2018 in connection with Nemalo P.S. Case No.66 of 2018 corresponding to G.R. Case No.83 of 2018 pending in the Court of learned Adhoc Additional Special Sessions Judge, Cuttack for the alleged commission of offence under Sections 376(2)(i)(ii)/506 of IPC read with Section 6 of POCSO Act and Sections 66(E)/67/67(A) of I.T. Act and Section 3(1)(W)(I) of SC & ST (PA) Act.
4. This is successive application of the petitioner for bail after disposal of his bail in CRLA No. 841 of 2019 granting him liberty to move for bail afresh after examination of the victim, her cousin brother, her brother and petitioner's brother.
5. It is submitted that in the meantime all these persons including the victim has been examined.
6. Having perused the testimony of the victim, the copy of which has been enclosed to the bail application, I am not inclined to allow the prayer for regular bail. Further it is submitted by Mr. Mohapatra that the mother is suffering from serious illness and requires medical

attention at a higher facility and there is no other person available in his family to take care of her.

7. Considering the submissions as above, this bail application is disposed of directing the court in seisin over the matter to release the petitioner on interim bail for a period of two months from the date of his actual release on such terms and conditions as he may deem fit and proper to impose including the condition that the petitioner shall appear on each date of posting of the case before the court below.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

