

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3793 of 2022

Nilamani @ Bapun Baitha

....

Petitioner

Mr. J. Dash
Advocate

-versus-

State of Odisha and another

....

Opposite Party

Mr. P.K. Maharaj
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
18.5.2022.

Order No.

01.

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 21st January, 2022 in connection with Harichandanpur P.S. Case No.16/2022 corresponding to Special Case No.13/2022 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Keonjhar for the alleged commission of the offence under Sections 363/366/323/376(2)(n) of I.P.C. read with Section 6 of the Protection of Children from Sexual Offences Act.

4. It is alleged that the Petitioner kidnapped the victim, who was being imparted training in the State of Tamil Nadu and forcibly committed rape on her. The statements of the victim girl recorded under Section 164 of Cr.P.C., prima facie, does not substantiate the allegation.

5. Considering the above facts, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case without fail.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge