

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3801 of 2021

Ranu @ Rabindra Kumar Nayak

....

Petitioner

Mr. J. Sahoo,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.7.2022.

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Mr. P.S.Nayak enters appearance for the informant by filing Vakalatnama. The same be kept on record.
3. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State and learned counsel for the informant.
4. The Petitioner is in custody since 26th October, 2021 in connection with Golanthara P.S. Case No.282/2021 corresponding to G.R. Case No.191/2021 pending in the court

of learned Addl. District Judge-cum-Special Court under POCSO Act, Berhampur for the alleged commission of the offence under Sections 363/366/376(2)(n)/376(2) of I.P.C., read with Section 6 of POCSO Act.

5. It is alleged that the Petitioner kidnapped the victim and took her to Visakhapatnam and also committed forcible sexual intercourse with her with a pretext to marry her. The statement of the victim recorded under Section 164 of Cr.P.C. reveals an entirely different story.

6. Learned counsel for the informant submits that if the Petitioner released, he may threaten the victim. It is further submitted that the family members of the Petitioner have threatened the family members of the victim for which an F.I.R. has been lodged against them.

7. Considering the submissions as above, the materials on record, the period of detention in custody and in particular the statement of the victim recorded under Section 164 of Cr.P.C., I am inclined to allow the prayer for bail.

8. 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 following conditions:-

- (i) he shall personally appear before the court below on each date of posting of the case without fail,

(ii) he shall not approach, threaten, coerce or pressurize the victim in any manner whatsoever,

(iii) he shall not make any attempt to contact the victim either physically or over phone,

(iv) violation of any of the above conditions shall entail automatic cancellation of the bail.

9. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

