

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLA No. 352 of 2022**

***Litu Barik @ Dambarudhar .... Appellant***  
***Barik***

Mr. A. Mishra, *Advocate*

*-versus-*

***1. State of Odisha***  
***2. Anushuya Naik .... Respondents***

*Mr. Arupananda Das,*  
*Addl. Government Advocate*

**CORAM:**

**JUSTICE S.K. SAHOO**

**ORDER**

**12.09.2022**

**Order No.**

**03.**

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the State submitted that the notice on the respondent no.2 is sufficient.

None appears on behalf of the respondent no.2.

Heard learned counsel for the appellant and learned counsel for the State.

This is an appeal under section 14-A of S.C. & S.T. (PoA) Act, 1989 in connection with Spl. Case No.10 of 2022 arising out of Joda P.S. Case No.19 of 2022 pending in the Court of learned Sessions Judge -cum- Special Judge, Champua, Keonjhar for

offences punishable under sections 366/376(2)(n)/506/450 of the Indian Penal Code read with sections 3(2)(v)/2(va) of the S.C. & S.T. (PoA) Act.

Considering the submission made by the learned counsel for the appellant that the appellant is in judicial custody since 10.02.2022 and charge sheet has been submitted under sections 366/376(2)(n)/506/450 of the Indian Penal Code read with sections 3(2)(v)/2(va) of the S.C. & S.T. (PoA) Act and after going through the 164 Cr.P.C. statement of the victim, who was aged about nineteen years at the time of occurrence placed by the learned counsel for the State in which she has stated about her love affairs with the appellant and keeping of physical relationship with the appellant and on account physical relationship between the appellant and victim, the victim became pregnant and the pregnancy was terminated and keeping in view the surrounding circumstances and absence of any criminal antecedent against the appellant as submitted by the learned counsel for the State, I am inclined to release the appellant on bail.

Let the appellant be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the

matter with further conditions as the learned Court may deem just and proper subject to condition that the appellant shall appear before the learned trial Court on each date when the case would be posted for trial.

Violation of any terms and conditions shall entail cancellation of bail.

The CRLA is accordingly disposed of.

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

