

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.212 of 2021

Ramakrushna Panda

....

Appellant

Mr. Manas Chand, Advocate

-versus-

State of Orissa and another

....

Opposite Parties

Mr. P.C. Das, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

16.02.2022

Order No.

12. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Appellant and learned counsel for the State. Perused the case records.
3. The present appeal has been preferred against the rejection order dated 16.04.2021, passed by the learned ADJ-cum-Special Court under POCSO Act, Berhampur (under S.C. and S. T. Act) in G.R. Case No.53 of 2021, arising out of K. Nuagaon P.S. Case No.53 of 2021, for commission of the alleged offences under Sections 341/354/354-B of I.P.C. r/w. Section 3(2)(va) of S.C. & S.T. (POA) Act and Section 8 of POCSO Act.
4. Learned counsel for the Appellant submitted that Appellant is an innocent person and he has been falsely implicated in the case due to some misunderstanding between the parties. It is submitted that the medical report also does not corroborate the allegation of outrage of modesty. Further the investigation of the case has been

substantially progressed, therefore, Petitioner has no chance to abscond, avoid the trial of the case. Moreover, Petitioner has been languishing in jail custody since 15.03.2021.

5. Considering the nature and gravity of offences alleged and the period of detention of the Appellant, this Court is inclined to release the Appellant on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with one solvent sureties for the like amount to the satisfaction of the learned court in seisin of the matter subject to conditions that the Appellant shall not tamper with the prosecution evidence or show any threat or influence the witnesses in any manner whatsoever and cooperate in the trial of the case. The court in seisin of the matter is at liberty to impose any additional condition(s), if situation so warrants. Deviation of any of the above conditions shall entail cancellation of the bail of the Appellant.

6. With the above direction, the CRLA stands disposed of.

7. Issue urgent certified copy on proper application.

(A.K. Mohapatra)
Judge