

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3424 of 2021

Manus Turuk @ Manas

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.R. Mohapatra, ASC

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

22.04.2022

Order No.

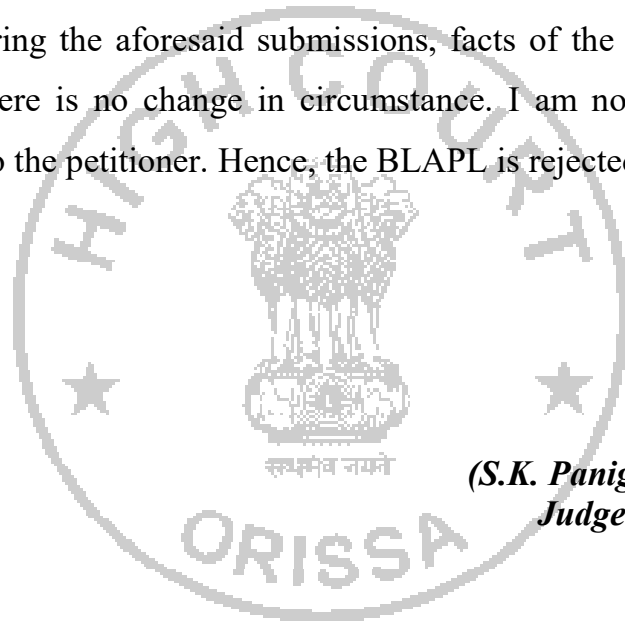
11. 1. The matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner being in custody in Koraput Sadar P.S. Case No.59 of 2020 corresponding to T.R. Case No.68 of 2020, pending in the court of learned Special Judge, Koraput at Jeypore for commission of offence under Sections 363, 366 and 376(2)(n)/34 of the IPC read with Section 6 of the POCSO Act, has filed this petition for bail
4. The facts of the case, as narrated in the FIR, is that on 13.05.2020, at about 4.00 P.M., while the daughter of the informant along with her friends went to attend call of nature, the petitioner and his friend took the victim through a motorcycle and thereafter confined her in a lonely place. After that, the informant and her family members searched the victim girl nearby places but went in vain.
5. Learned counsel for the petitioner submits that the petitioner is in custody since 20.05.2020. The statements recorded under Section 161 Cr.P.C. and 164 Cr.P.C. reveal that the victim has love affairs

with the petitioner. Her medical examination report does not support the prosecution case. The petitioner does not have any criminal antecedents.

6. Learned counsel for the State opposes the bail prayer of the petitioner on the ground that the offence alleged against the petitioner is serious in nature.

7. It is stated that out of 22 prosecution witnesses, five have already been examination and trial is going on.

8. Considering the aforesaid submissions, facts of the case and the fact that there is no change in circumstance. I am not inclined to grant bail to the petitioner. Hence, the BLAPL is rejected.



(S.K. Panigrahi)
Judge

pcd