

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4490 of 2022

Pabitra Majhi

....

Petitioner

Mr. Prabhav Behera, Advocate

- Versus -

State of Odisha & Another

....

Opp. Parties

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.08.2022

Order No.
03.

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 01.02.2022 in connection with Bhawanipatna Sadar P.S. Case No.34 of 2022 corresponding to C.T. Case No.121 of 2022 pending in the Court of learned S.D.J.M., Bhawanipatna for the alleged commission of offence under Sections 376(2)(1)/324 of IPC.
4. It is alleged that the petitioner committed rape on the victim, who is deaf and dumb. The victim has not named anyone in her statement recorded under Section 164 Cr.P.C.. The only reason for implication of the petitioner appears to be the fact that the victim was in possession of the mobile phone belonging to him.
5. Considering the above facts, the materials on record and the period of detention in custody, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

