

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4493 of 2022

Lucky @ Bikram Kumar Sahu

....

Petitioner

Mr. A.K.Sahoo,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
15.9.2022.

Order No.

02.

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 31st March, 2022 in connection with Raikia P.S. Case No.38/2022 corresponding to C.T. Case No.118/2022 pending in the court of learned J.M.F.C., G. Udayagiria for the alleged commission of the offence under Sections 366/376(2)(n)/307/324/379/34 of I.P.C.

4. It is alleged that the Petitioner kept physical relationship with the victim on the pretext of marrying her, as a result of which she became pregnant. It is submitted that the relationship between them was consensual in nature as would be evident from the bare perusal of the statement of victim recorded under Section 164 of the Cr.P.C. A perusal of the medical examination report of the victim does not reveal any evidence of pregnancy.

5. Considering the submissions made, 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.

6. 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 condition that he shall appear personally before the court below on each date of posting of the case without fail.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

