

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4606 of 2022

Harikrishna Barua

....

Petitioner

Mr. S.K. Das, Advocate

- Versus -

State of Odisha

.... Opposite Party

Mr. S.K. Mishra, ASC

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.07.2022

Order No.

1.

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. This is second journey of the petitioner seeking bail, his earlier application having been rejected by this Court as per order passed in BLAPL No. 9012 of 2021.
4. It is submitted that certain relevant facts could not be placed before this Court as the petitioner being in custody could not adequately instruct his conducting counsel.
5. The petitioner is in custody since 01.09.2021 in connection with Garabandha P.S. Case No.68 of 2021 corresponding to S.T. Case No.61 of 2021 pending in the Court of learned Special Judge-cum-Addl. Sessions Judge, Parlakhemundi for the alleged commission of offence under Sections 376(2)(n)/376(c)/506 of Indian Penal Code read with Section 66(E) of the IT Act.
6. It is alleged that the petitioner committed sexual intercourse with the victim on the pretext of arranging a job for her. It is submitted that the petitioner is a married lady and had willfully kept physical relationship with the victim. Only because the job could not be arranged within the period promised by the petitioner, the

case has been falsely foisted. Reference to the statement of the victim recorded under Section 164 Cr.P.C. lends considerable support to such contention.

7. Considering the above facts and taking into account the period of detention of the petitioner 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.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

A.K. Rana

(Sashikanta Mishra)
Judge

