

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4636 of 2022

Bikram Kumar Das @ Vikram **Petitioner**
Mr. S.K. Singhdeo, Advocate
- Versus -

State of Odisha **Opposite Party**
Mr. S. Mishra, Addl. Standing Counsel.

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
05.07.2022

Order No.
2.

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 the second journey of the petitioner to this Court seeking bail, his earlier application being rejected by this Court as per order dated 12.04.2022 passed in BLAPL No. 2353 of 2022, whereby, he was granted liberty to renew his prayer after examination of the victim during trial in the case. Since the victim has been examined in the meantime, the petitioner has renewed his prayer.
4. The petitioner is in custody since 23.10.2021 in connection with Dharamgarh P.S. Case No.158 of 2021 corresponding to C.T. Case No.92 of 2021 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge (POCSO), Kalahandi for the alleged commission of offence under Sections 366/366-A/354-A/370-A/34 of IPC read with Section 12 of POCSO Act.
5. It is submitted that the victim has already been examined in the case as P.W.-2 and as per the copy of deposition enclosed to the bail application. It is seen that she has made an allegation of

misbehavior by the petitioner in general term. A perusal of the deposition of the victim shows that the petitioner forced the victim to travel with him by train to Bolangir from Kesinga and in course of the said journey he allegedly misbehaved with her. The co-passengers complained and accordingly, the case was registered.

6. Considering the submissions, materials on record and the period of detention of the petitioner in custody as also the fact that the victim and other materials have already been examined, 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 the learned court below shall insist upon two local sureties for such amount as may be determined by it, out of whom one must be close blood relation of the petitioner and other must be a resident of Kalahandi district. Further, the petitioner shall personally appear before the trial Court on each date of the posting of the case, failing which necessary orders may be passed to take him to custody again by the Court below. Further he shall not leave the territorial jurisdiction of the Court below without obtaining leave.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana