

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4656 of 2022

Nrusingh Charan Patra

....

Petitioner

Mr. D.P. Dhal, Sr.Adv.

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

13.10.2022

Order No.
03.

1. This matter is taken up through hybrid mode.
2. It is submitted by learned State counsel that notice on the victim has already been served on 13.09.2022. There is however, no appearance from her side. Hence the bail application is taken up for hearing.
3. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
4. The petitioner is in custody since 10.04.2022 in connection with Dhusuri P.S. Case No.114 of 2022 corresponding to Special Case No.27 of 2022 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Bhadrak for the alleged commission of offence under Sections 342/376(2)(1)/376(3)/354/294/323/506 of IPC read with Section 6(1) of POCSO Act.
5. It is alleged that the petitioner committed forcible sexual intercourse on the victim, who was his student. The victim has made several allegations in her statement recorded under Section 164 Cr.P.C., which are not even remotely corroborated

by the medical examination report. Though the victim has complained of assault and injury on her head and private parts, medical examination report specifically negates these two allegations completely.

6. Considering the above facts 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.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

