

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5049 of 2022

***Kabula @ Satrugan Behera and
others*** ***Petitioners***

Mr. P.S.Das
Advocate

State of Odisha ***Opposite Party***
-versus-
Mr.P.K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
11.7.2022.

Order No.

02. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. The Petitioners are in custody since 12th April, 2022 in connection with Telkoi P.S. Case No.29/2022 corresponding to G.R. Case No.28/2022 pending in the court of learned J.M.F.C., Telkoi for the alleged commission of the offence under Sections 376(2)(n)/506 of I.P.C..

4. It is alleged that the Petitioner Nos.1 and 2 kept physical relationship with the victim, who is a married lady, taking advantage of the absence of her husband. In the mean time charge sheet has been submitted.

5. Considering the submissions made, the materials on record, the period of detention of the Petitioners in custody and in particular the statement of victim recorded under Section 164 of Cr.P.C., I am inclined to allow the prayer for bail. Let the Petitioners 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 they shall appear personally before the trial court on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take them to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge