

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.434 of 2022

Rabindra Sundaray* *Appellant

Mr. J.K. Mohanty, Advocate

-versus-

1. State of Odisha

2. Parbati Mallick

.... Respondents

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
29.08.2022**

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the State submitted that the notice on the respondent no.2 is sufficient.

None appears on behalf of the respondent no.2.

Heard learned counsel for the appellant and learned counsel for the State.

This is an appeal under section 14-A of S.C. & S.T. (PoA) Act, 1989 in connection with T.R. Case No.25 of 2022 arising out of Khordha P.S. Case No.122 of 2022 pending in the Court of learned 1st Additional Sessions Judge -cum- Special Judge under S.C. & S.T. (PoA) Act,

Khordha for offences punishable under sections 376(2)(n)/323/294/506/34 of the Indian Penal Code read with sections 3(1)(r)(s)/3(2)(v)(va) of the S.C. & S.T. (PoA) Act.

The appellant moved an application for bail before the Court of learned 1st Additional Sessions Judge -cum- Special Judge under S.C. & S.T. (PoA) Act, Khordha which was rejected on 12.04.2022.

Considering the submission made by the learned counsel for the appellant that the appellant is in judicial custody since 13.03.2022 and charge sheet has been submitted under sections 376(2)(n)/323/294/506/34 of the Indian Penal Code read with sections 3(1)(r)(s)/3(2)(v)(va) of the S.C. & S.T. (PoA) Act and after going through the 164 Cr.P.C. statement of the victim, who was aged about twenty nine years at the time of occurrence placed by the learned counsel for the State in which she has stated about her love affairs with the appellant since 2018 and keeping of physical relationship with her by the appellant on the assurance of marriage and Nirbandha was completed in the year 2020 and their marriage document executed before the Notary Public and the period of detention of the appellant in judicial custody, I am inclined to release the appellant on bail.

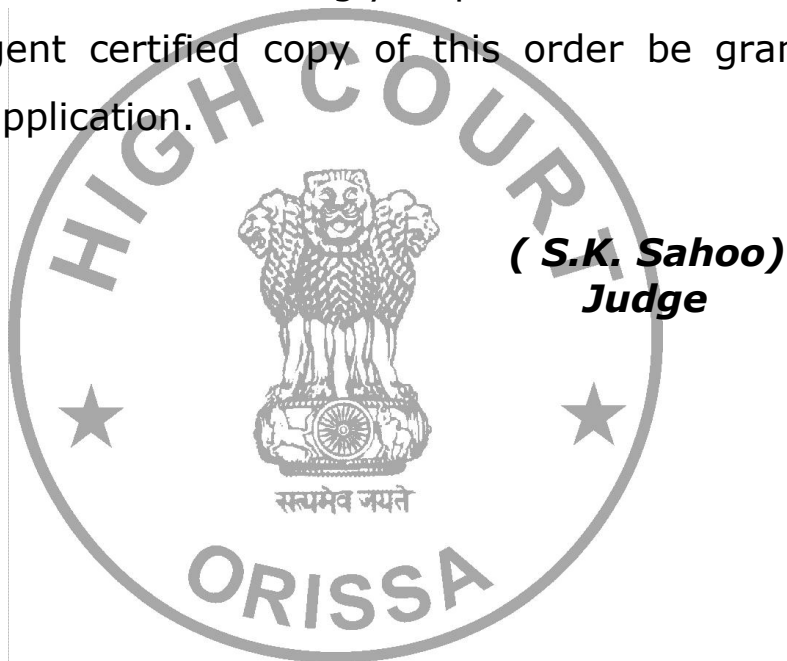
Let the appellant be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees

fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned Court may deem just and proper subject to condition that the appellant shall appear before the learned trial Court on each date when the case would be posted for trial.

Violation of any terms and conditions shall entail cancellation of bail.

The CRLA is accordingly disposed of.

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



RKM