

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5108 of 2022

Makarand Harijan		Petitioner
		Mr. M.K. Chand, Advocate
	- Versus -	
State of Odisha & Another		Opposite Parties
		Mr. P.K. Maharaj, Addl. Standing Counsel

**CORAM:
JUSTICE SASHIKANTA MISHRA**

**ORDER
19.07.2022**

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, his earlier application for bail being rejected as per order passed in BLAPL No. 3060 of 2022 granting liberty to the petitioner to renew his prayer after submission of the charge sheet and rescue of the victim. It is submitted that charge sheet has in the meantime been submitted and victim has been rescued.
4. The petitioner is in custody in connection with Lanjigarh P.S. Case No.01/2022 corresponding to C.T. Case No.25/15 of 2022 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, (under POCSO Act), Bhawanipatna for the alleged commission of offence under Sections 363/365/366/109/34 of IPC read with Section 17 of POCSO Act.
5. It is alleged that the petitioner facilitated the principal accused, namely, Bhaganta Harijan in kidnapping the victim and giving shelter to him in his house. The statement of the victim recorded under Section 161 Cr.P.C. reveals that she had left her

home on her own volition without any coercion from any quarter.
There is no mention of the petitioner in her statement.

6. Considering the submissions as above, the materials on record 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

