

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5189 of 2022

Krishna Baroi

.... Petitioner

Mr. A.K. Jena, Adv.

- Versus -

State of Odisha

.... Opp.Party

Mr. S.K Mishra, ASC

Ms. Rita Singh, Adv. (for informant)

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

15.09.2022

Order No.
02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner, learned Addl. Standing Counsel for the State and learned counsel for the informant.
3. This is the second journey of the petitioner to this Court after rejection of his earlier bail application in BLAPL No. 3125 of 2022. The present application has been filed on the ground that the victim girl has in the meantime been rescued.
4. As directed, learned court below has transmitted the original statement of the victim recorded under Section 164 of Cr.P.C. in a sealed cover through special messenger. The same is opened in Court.
5. The petitioner is in custody since 26.03.2022 in connection with M.V.-79 P.S. Case No.26 of 2022 corresponding to T.R. Case No.14 of 2022 pending in the Court of learned Addl. Sessions Judge-cum-Spl. Judge, Malkangiri for the alleged commission of offence under Sections 363/366/366-A/354-C/109

and 34 of IPC read with Sections 6/12/17 of POCSO Act and Section 66(E)/37/37(A)/67-B of I.T. Act.

6. Considering the submissions, materials on record and in particular the statement of the victim recorded under Section 164 Cr.P.C., 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. Statement of the victim recorded under Section 164 Cr.P.C. be sealed and sent back to the Court below forthwith.

9. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

