

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6620 of 2022

Pabitra Patra

....

Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

06.07.2022

Order No.

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

Heard learned counsel for the petitioner and learned counsel for the State of Odisha.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Korei P.S. Case No.142 of 2022 corresponding to G.R. Case No.630 of 2022 pending in the Court of learned J.M.F.C., Jajpur Road for alleged commission of offences under sections 342/323/363/34 of the Indian Penal Code read with sections 9, 10 and 11 of the Children Marriage Prohibition Act, 2006.

Learned counsel for the petitioner submitted

that during the course of investigation, the 164 Cr.P.C statement of the victim was recorded and the victim has given a clean chit to the petitioner and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State has produced the case diary and fairly submitted that there is nothing against the petitioner in the 164 Cr.P.C. statement of the victim.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner and since the victim has given a clean chit to the petitioner in her 164 Cr.P.C. statement, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

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