

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.459 of 2022

Pratyush Kumar Rout* *Appellant

Mr. J.K. Panda, Advocate

-versus-

1. State of Odisha

2. Bharati Bhoi* *Respondents

*Mr. Manoranjan Mishra,
Addl. Standing Counsel*

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

**ORDER
10.08.2022**

Order No.

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

Learned counsel for the State on instruction submitted that the notice on the informant is sufficient.

None appears on behalf of the informant.

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.152 of 2022 arising out of Airport P.S. Case No.139 of 2022 pending in the Court of learned Special Judge -cum- Sessions Judge, Khurda at Bhubaneswar for offences

punishable under sections 376(2)(n)/506 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 Sessions Judge, Khurda at Bhubaneswar which was rejected on 06.06.2022.

Learned counsel for the appellant submitted that the appellant is in judicial custody since 21.04.2022 and he has been charge sheeted under sections 376(2)(n)/506 of the Indian Penal Code read with sections 3(1)(r)(s)/3(2)(v)(va) of the S.C. & S.T. (PoA) Act. He further submitted that the victim was aged about twenty seven years at the time of occurrence and appears to be a consenting party and therefore, the bail application of the appellant may be favourably considered.

Learned counsel for the State has produced the case diary and placed the 164 Cr.P.C. statement of the victim, which reveals that there was love affairs between the appellant and the victim and they had physical relationship with each other since January, 2021 and assurance of marriage was given to the victim by the appellant and ultimately it was turned down.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the appellant, the age of the victim and her 164 Cr.P.C. statement 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 with further conditions that he shall not indulge in any criminal activities and shall appear before the learned trial Court on each date to which the case would be posted for trial.

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

The CRLA is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM