

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5436 of 2022

Tanu Harijan

....

Petitioner

Mr. J.N. Panda, Advocate

- Versus -

State of Orissa

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.06.2022

Order No.
01.

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. The petitioner is in custody since 13.03.2022 in connection with Kesinga P.S. Case No.111 of 2022 corresponding to C.T. Case No.107/54 of 2022 pending in the Court of learned Addl. Sessions Judge-cum- Special Court under (POCSO) Act, Bhawanipatna for the alleged commission of offence under Sections 363/366/376(2)(n) of IPC read with Section 6 of POCSO Act.
4. It is alleged that the petitioner kidnapped the victim, who is a minor girl and committed forcible sexual intercourse on her. The statement of the victim recorded under Section 161 Cr.P.C. enclosed to the bail application suggests an entirely different story.
5. Considering the submissions, materials on record, the period of detention in custody and in particular the statement of the victim recorded under Section 161 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.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

