

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5521 of 2022

Sanjay Bisoi

....

Petitioner

Mr. P.K. Nayak, Advocate

- Versus -

State of Odisha & Another

.... **Opposite Parties**

Mr. S.K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.07.2022

Order No.

1.

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 13.01.2022 in connection with Uditnagar P.S. Case No.263 of 2021 corresponding to Spl. G.R. Case No.164 of 2021 pending in the Court of learned Addl. District Judge-cum-P.O., Special Court, (POCSO), Sundargarh for the alleged commission of offence under Sections 376(2)(n) of IPC read with Section 6 of POCSO Act.
4. It is alleged that the petitioner and the victim were in love relationship and had physical relationship on several occasions. On 22.11.2021 when the victim called the petitioner over phone and informed that she was pregnant, the petitioner hung up saying that he was in Raipur, whereupon the FIR was lodged. Significantly in the charge sheet it has been specifically mentioned that the medical examination of the victim did not reveal any sign of pregnancy. That apart, the medical examination report also mentions that there is no sign or symptom of recent sexual intercourse.
5. Considering the above fact, 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.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

