

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5602 of 2022

Amit Ray

.... Petitioner

Mr. R.L. Pattnaik, Advocate

- Versus -

State of Odisha

.... Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.07.2022

Order No.

2.

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 02.03.2022 in connection with Orkel P.S. Case No.38 of 2022 corresponding to T.R. Case No.9 of 2022 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of offence under Sections 363/366//376(2)(n) of IPC read with Section 6(1) of POCSO Act.
4. It is alleged that the petitioner kidnapped the victim, who is a minor girl aged about 16 years, while she had gone to Kali Mandap to worship. As she did not return home, FIR was lodged suspecting that the petitioner accused may have kidnapped her. The statement of the victim recorded under Section 161 Cr.P.C. however reveals an entirely different story.
5. Considering the submissions, materials on record, the period of detention in custody and the fact that charge sheet has already been submitted in the case and in particular the statement of the victim recorded under Section 161 of 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

