

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5825 of 2022

Dolagobinda Sethy @ Doleswar

....

Petitioner

Mr. S/K. Pattnaik, Adv.

- Versus -

State of Odisha

....

Opp.Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

16.09.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. It is stated by learned State Counsel that notice on the victim/informant has been served on 09.08.2022. However, there is no appearance from her side. Hence, the bail application is taken up for hearing.
4. The petitioner is in custody since 25.03.2022 in connection with Keonjhar Sadar P.S. Case No.116 of 2022 corresponding to Special Case No.34 of 2022 pending in the Court of learned Addl. Sessions Judge-cum- Special Judge, Keonjhar for the alleged commission of offence under Sections 363/376(3)/323/34 of IPC and Section 6 of POCSO Act.
5. The petitioner is the father of the principal accused, who is said to have committed rape on the victim. From the statement of the victim recorded under Section 164 Cr.P.C. it is evident that nothing has been alleged against the petitioner by her and he appears to have been entangled only because the principal accused happens to be his son.
6. Considering the above fact 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.

7. BLAPL is accordingly disposed of.
8. Issue urgent certified copy as per rules.

A.K. Rana

(Sashikanta Mishra)
Judge

