

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.299 2021

Manoj Bagh

.... Appellant

Mrs. B. Dash, Advocate

-versus-

State of Odisha and another

.... Respondents

Mr.P.Tripathy, A.S.C.

Mr. L.N.Patel, Advocate
(For informant)

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
02.12.2022.

Order No.

- 07.
1. The matter is taken up through hybrid mode.
 2. Heard Mrs. B. Das, learned counsel for the Appellant, Mr. L.N.Patel, learned counsel for the informant and Mr. P.Tripathy, learned Addl. Standing Counsel for the State.
 3. The Appellant is in custody in connection with Barkote P.S. Case No.92/2021 corresponding to Special G.R. Case No.3/2021(C.T. Case No.156/2021) pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Deogarh, for the alleged commission of the offence under Sections

363/366/366-A/376(2)(n)/373(3) of I.P.C. read with Section 6 of POCSO Act read with Section 3(2) (v) of S.C. and S.T. (P.A.) Act. of I.P.C., Section 4 of Odisha Prevention of Witch Hunting Act and Section 3(2)(v) of SC and ST (P.O.) Act.

4. It is alleged that the Petitioner kidnapped the victim, who was a minor girl at the relevant time, and took her to Rourkela wherein he kept physical relationship with her forcibly. The statement of victim recorded under Section 164 of Cr.P.C. reveals a different story.

5. Though it is a fact that the victim is a minor girl, having regard to the nature of accusations and the fact that the Appellant is in custody nearly one and half years, I am inclined to take a lenient view by directing release of the Appellant on bail. Let the Appellant be released on bail on such terms and conditions as may be fixed by the Court in seisin over the matter in the aforesaid case including the condition that he shall not misuse the liberty granted to him.

6. The CRLA is accordingly disposed of.

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

(Sashikanta Mishra)
Judge