

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5966 of 2022

Dambaru Bairagi

....

Petitioner

Mr. S.K.Rout,
Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
02.9.2022.

Order No.

03.

1. This matter is taken up through hybrid mode.
2. It is submitted that notice has already been served upon the victim on 24th August, 2022. However, there is no appearance on her behalf. Hence, the Bail Application is taken up for hearing.
3. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
4. The Petitioner is in custody since 4th May, 2022 in connection with Damanjodi P.S. Case No.41/2022 corresponding to G.R No.466/2022 pending in the court of

learned Addl. Sessions judge-cum-Special Judge, Jeypore for the alleged commission of the offence under Sections 363/376(3) of I.P.C. read with Section 4 (2) of the POCSO Act.

5. Considering the submissions as above, the materials on record, the period of detention in custody and in particular the statement of the victim recorded under Section 164 of Cr.P.C., I am inclined to allow the prayer for bail.

6. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case without fail.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge