

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.509 of 2022

Nagen Sahu @ Sahoo* *Appellant

Mr. P.K. Mishra, Advocate

-versus-

1. State of Odisha

2. Bishnu Priya Singh* *Respondents

*Mr. Manoranjan Mishra,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
29.08.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the State submitted that the notice on the respondent no.2 is sufficient.

None appears on behalf of the respondent no.2.

Heard learned counsel for the appellant and learned counsel for the State.

This is an appeal under section 14-A of S.C. & S.T. (PoA) Act, 1989 in connection with C.T. (Special) Case No.32 of 2022 arising out of Kankadahad P.S. Case No.55 of 2022 pending in the Court of learned Judge, Special Court -cum- Additional Sessions Judge,

Kamakhyanagar for offences punishable under sections 417/376(2)(n) of the Indian Penal Code read with sections 3(1)(w)(i)(ii)/3(2)(va) of the S.C. & S.T. (PoA) Act.

The appellant moved an application for bail before the Court of learned Judge, Special Court, Kamakhyanagar which was rejected on 21.06.2022.

Considering the submission made by the learned counsel for the appellant that the appellant is in judicial custody since 13.06.2022 and he has been charge sheeted under sections 417/376(2)(n) of the Indian Penal Code read with sections 3(1)(w)(i)(ii)/3(2)(va) of the S.C. & S.T. (PoA) Act and after going through the statements of the victim recorded under section 161 Cr.P.C. as well as 164 Cr.P.C. in which she has stated her age is nineteen years and she further stated about her elopement with the appellant and staying with the appellant in a rented house and the fact that she has refused her medical examination, I am inclined to release the appellant on bail.

Let the appellant be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned Court may deem just and proper subject to

condition that the appellant shall appear before the learned trial Court on each date when the case would be posted for trial.

Violation of any terms and conditions shall entail cancellation of bail.

The CRLA is accordingly disposed of.

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

RKM

