

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5327 of 2021

Rahas @ Mohan Rout

....

Petitioner

Mr. S. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.R. Mohapatra, ASC

CORAM:

JUSTICE S.K. PANIGRAHI

ORDER

16.03.2022

Order No.

02. 1. The matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner being an accused in C.T. Case No.105/29 of 2020 (POCSO), arising out of Koksara P.S. Case No.96 of 2020 pending before the learned Addl. Sessions Judge-cum-Special Judge, POCSO Act, Bhawanipatna for the commission of the offence under Sections 363, 366 and 376(2)(n) of the IPC read with Section 6 of the POCSO Act, has filed this petition for bail.
4. The prosecution case, as narrated in the FIR, is that on 01.05.2019, at about 4 A.M., victim daughter of the informant was found to be missing from her house. Thereafter, the informant searched for her but could not find. Later, the informant came to know over the mobile phone of the victim that the petitioner kidnapped her daughter.

5. Learned counsel for the petitioner submits that, out of 26 witnesses, only one has already been examined and the trial is in progress. The charge-sheet has been filed. The petitioner is in custody from the date of his arrest. Further, the learned counsel for the petitioner submits that the petitioner is ready and co-operate with the trial, if he is released on bail.

6. Learned counsel for the State opposes the bail prayer of the petitioner on the ground that there is a prima facie case against the petitioner.

7. Considering the aforesaid facts and the fact that the trial is in progress, this Court is not inclined to release the petitioner on bail. Hence, the BLAPL is rejected.

8. The trial court is directed to expedite the trial and conclude the same as far as practicable.

(S.K. Panigrahi)
Judge

pcd