

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.531 of 2022

Samir Kumar Parida* *Appellant

Sk. Zafarulla, Advocate

-versus-

1. State of Odisha

2. Kumari Sangeeta

Mirdha

.... Respondents

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
19.09.2022**

Order No.

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

Learned counsel for the State submits that the notice on the informant is sufficient.

None appears on behalf of the informant.

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 Special Case No.55/51 of 2022 arising out of Chandipur P.S. Case No.61 of 2022 pending in the Court of learned Presiding Officer, Special Court (SC & ST), Balasore for offences punishable under sections 417/313/376(2)(n) of the Indian Penal Code read with sections 3(1)(s)/3(2)(v) of the S.C. & S.T. (PoA) Act.

Learned counsel for the appellant submitted that the appellant is in judicial custody since 20.06.2022 and he has been charge sheeted under sections 417/313/376(2)(n) of the Indian Penal Code read with sections 3(1)(s)/3(2)(v) of the S.C. & S.T. (PoA) Act. He further submitted that the victim was aged about twenty seven years at the time of occurrence and she appears to be a consenting party and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State, on the other hand, placed the 164 Cr.P.C. statement of the victim from which it appears that on account of physical relationship between the two, the victim became pregnant on two occasions and her pregnancy was aborted by the appellant after giving medicines.

Considering the 164 Cr.P.C. statement of the victim in which she has specifically implicated the appellant in the commission of rape on her, I am not inclined to release the appellant on bail. The prayer for bail of the appellant stands rejected.

The appellant is at liberty to renew his prayer for bail after examination of the victim in the trial Court.

Accordingly, the CRLA is disposed of.

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

(S.K. Sahoo)
Judge