

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.544 of 2022

Sarathi Kar

....

Appellant

Mr. A.R. Panda, Advocate

-versus-

1. State of Odisha

2. Sunita Nayak

....

Respondents

Mr. Debasis Biswal,

Addl. Standing Counsel

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

**ORDER
12.09.2022**

Order No.

03.

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. Case No.31 of 2022 arising out of Phulbani Town P.S. Case No.97 of 2022 pending in the Court of learned Sessions Judge - cum- Special Judge, Phulbani for offences punishable

under sections 417/376(2)(n) of the Indian Penal Code read with sections 3(2)(u)/3(2)(v) of the S.C. & S.T. (PoA) Act.

Learned counsel for the appellant files the certified copy of the charge sheet in Court which is taken on record.

Considering the submission made by the learned counsel for the appellant that the appellant is in judicial custody since 20.06.2022 and charge sheet has been submitted under sections 417/376(2)(n) of the Indian Penal Code read with sections 3(2)(u)/3(2)(v) of the S.C. & S.T. (PoA) Act and after going through the 164 Cr.P.C. statement of the victim, who was aged about twenty five years at the time of occurrence placed by the learned counsel for the State in which she has stated about her love affairs with the appellant since five years prior to the lodging of the first information report and staying with the appellant at different places and keeping of physical relationship with her by the appellant on the assurance of marriage and other surrounding circumstances, 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.

