

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8737 of 2022

Pratap Jena

....

Petitioner

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

01.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Informant enters appearance through Mr. Siba Prasad Mishra and his associates in Court today and files Vakalatnama in Court today. The same is accepted and be kept on record.
3. Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Standing Counsel for the State.
4. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
5. The petitioner is seeking pre-arrest bail in connection with C.T. Case No.871 of 2022, arising out of Korei P.S. Case No.208 of 2022 pending in the court of learned J.M.F.C., Jajapur Road for commission of offence punishable under Section 363, I.P.C.
6. It is submitted learned counsel for the petitioner that the petitioner and the informant are major and with the consent of the parties, marriage was solemnized between them and they are staying

together peacefully.

7. Learned counsel for the informant files a photo copy of the Aadhaar Card of the victim, which reveals that the date of birth of the victim is 03.03.2001.

8. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

9. It is further directed that the bail granted to the petitioner is subject to verification of age of the victim girl which is shown to be 03.03.2001 learned court below shall verify the genuineness of the age of the victim.

10. Accordingly, the ABLAPL is disposed of. ★

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

(A.K. Mohapatra)
Judge