

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6056 of 2021

Kamal Lochan Majhi

....

Petitioner

Mr. T.K. Sahu, Advocate

-Versus -

State of Odisha and another

....

Opposite Parties

*Mr. S.K. Mishra,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.08.2022

Order No.

5.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 21.03.2021 in connection with Jeypore Town P.S. Case No. 64 of 2021 corresponding to G.R. Case No. 203 of 2021 pending in the court of learned Additional Sessions Judge, Odisha for the alleged commission of offence under Sections 376(2)(n)/376 (3) of IPC read with Sections 42/6 of the POCSO Act.
4. It is alleged that the petitioner committed forcible sexual intercourse on the victim against her will. However, the statement of the victim recorded under Section 164 of Cr.P.C. speaks otherwise.
5. Considering the submissions made, the materials on record, the period of detention in custody and in particular the statement of the victim under Section 164 of Cr. P.C., I am inclined to allow the

prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge



B.C. Tudu