

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7074 of 2022

Alok Pradhan

....

Petitioner

Mr. M.K. Chand, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.10.2022

Order No.

06.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The victim appeared through video conference being produced by Inspector Lalita Pradhan -IIC Reamal Police Station. The Victim on being asked has objected to grant bail to the petitioner-accused.
4. The petitioner is an accused in Spl. G.R. Case No.17 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Judge, Deogarh, arising out of Reamal P.S. Case No.163 of 2022, alleged commission of offence under Sections 376(2)(n)/376(3) of IPC and Section 4(2) and 6 of POCSO Act.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions-cum-Spl. Judge,

Deogarh by order dated 27.06.2022 in the aforementioned case, the present BLAPL has been filed.

6. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 16.06.2022 as in the meanwhile charge sheet has already been filed on 20.06.2022; further continuance of the petitioner in custody is not warranted.

7. Perused the 164 Cr.P.C. statement of the victim.

8. Considering the tenor thereof, and taking into account the nature of allegations, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. To instill a sense of confidence in the victim and her family learned Court in seisin is directed to fix suitable terms preferably for appearance of the accused before the jurisdictional police station once every week till the conclusion of trial. It shall be open to the victim/her family to seek variance of the order if there is any violence of the stipulations as prescribed.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi