

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8950 of 2022

Chandan Behera

.... ***Petitioner***
Mr. L.N.Rayatsingh, Advocate

-versus-

State of Odisha

.... ***Opp.Party***
Mr.P.K.Rout, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.08.2022

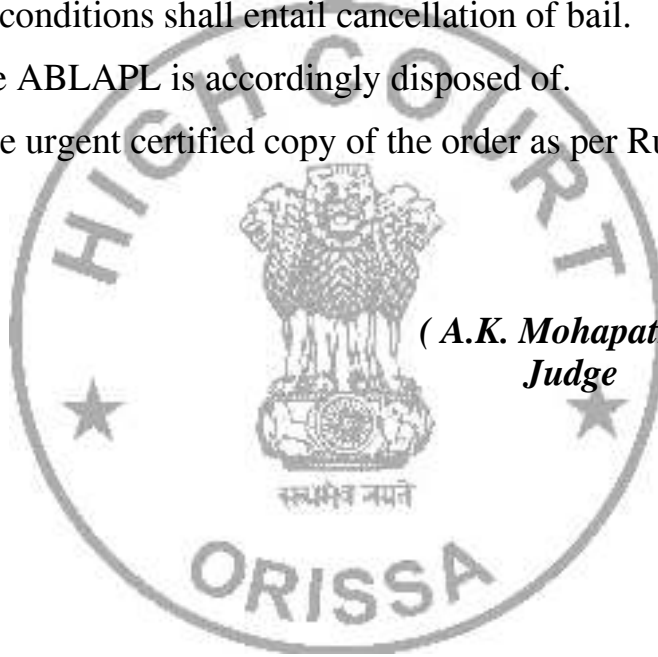
Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioner that the present Petitioner is the father of the principal accused Sunil Behera. So far as the principal accused Sunil Behera is concerned, it is alleged in the F.I.R. that the said Sunil Behera had given assurance to the daughter of the informant, as a result of which there was consensual sexual relationship between them. Thereafter the daughter of the informant gave birth to a girl child. It is further submitted by the learned counsel for the Petitioner that so far as the present Petitioner is concerned, it is alleged in the F.I.R. that the father of the principal accused gave his consent to marriage.
5. Considering the nature of allegations made, gravity of the

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 before the learned Judge Special Court (POCSO), Dhenkanal in C.T.(Spl) (POCSO) Case No.70 of 2020 arising out of Rasol P.S.Case No.143 of 2020 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with further condition that the Petitioner shall not threaten, influence or terrorise the informant and his family members in any manner whatsoever. Violation of any terms and conditions shall entail cancellation of bail.

6. The ABLAPL is accordingly disposed of.
7. Issue urgent certified copy of the order as per Rules.

(*A.K. Mohapatra*)
Judge



RKS