

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9737 of 2022

Gopabandhu Jena

.... ***Petitioner***
Mr.J.K.Majhi, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr.S.Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

16.08.2022

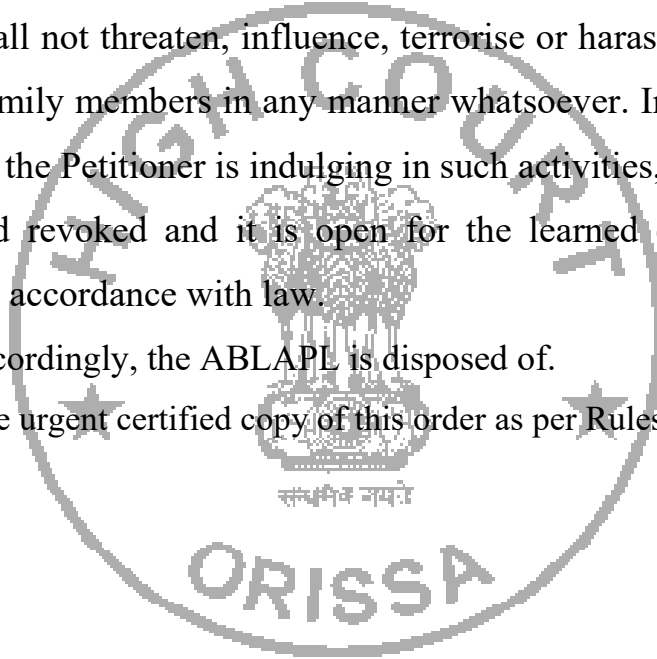
Order No.

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 namely Biki @ Bhaktabandhu Jena. It is further submitted by the learned counsel for the Petitioner that the principal accused has committed rape on the minor informant. So far as the present Petitioner is concerned the only allegation is that the family of the informant came to the house of the Petitioner and they have abused the informant in filthy languages.

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 Special Judge (POCSO), Balasore in Spl.Case No.167 of 2022 arising out of Baliapal P.S.Case No.159 of 2022 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 Special Judge with further condition that the Petitioner while on bail shall not threaten, influence, terrorise or harass the informant and her family members in any manner whatsoever. In the event it is found that the Petitioner is indulging in such activities, then this order shall stand revoked and it is open for the learned court below to proceed in accordance with law.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.



(A.K. Mohapatra)
Judge