

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10115 of 2022

Pratap Kumar Barik

.... ***Petitioner***
Mr.S.N.Mishra, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

25.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and the learned Additional Government Advocate. 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 has been falsely entangled in the present case. Further referring to 164 Cr.P.C. statement of the victim girl, learned counsel for the Petitioner submits that the victim in her 164 Cr.P.C. statement has stated that she had love relationship with the Petitioner for about four years and had physical relationship with him. Thereafter she left her house and went to Konark in search of job. In

Konark, while he was working in a lodge, she was asked to go with a customer and Police conducted raid and she was rescued. She has also stated that one Madhu Das is arranging customers for the victim to get involved in the prostitution. So far as the petitioner is concerned, learned counsel for the Petitioner submits that the offence alleged are not made out against the Petitioner.

5. Considering the nature of allegations made, gravity of the offence and the facts 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. Spl.Judge, POCSO Court, Puri in Spl. G.R.Case No.112 of 2021 arising out of Kakatpur P.S.Case No.251 of 2021 corresponding to T.R. No.12 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 Magistrate with further conditions that the Petitioner while on bail shall cooperate with the investigation and shall appear before the I.O. as and when required and shall appear before the trial court on each and every date fixed. They shall not threaten, influence, terrorise or harass the informant and her family members in any manner whatsoever. Violation of conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

