

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10151 of 2022

Tapan Prasad Dash

.... ***Petitioner***
Mr. Anupam Dash, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER
11.10.2022

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Section 363, I.P.C.
4. It is submitted by learned counsel for the Petitioner that the Petitioner is a government employee. He further submits that charge-sheet has been filed in the case, keeping the investigation open under Section 173, Cr.P.C. Learned counsel for the Petitioner also submits that the victim girl has been rescued in the meantime and her 164, Cr.P.C. statement has been recorded.

5. Learned counsel for the State, referring to the 164, Cr.P.C. statement of the victim girl, submits that the victim girl has not whispered anything about the present Petitioner.

6. Considering such submissions and the facts of the case, it is directed that, in the event of arrest in connection with Baidyanathpur P.S. Case No.18 of 2022 corresponding to G.R. Case No.110 of 2022 pending in the court of learned Addl. District Judge-cum-Special Judge under POCSO Act, Berhampur, the Petitioner shall be released on bail by the Arresting Officer on such terms and conditions as the Arresting Officer shall deem just and proper in the facts and circumstances of the case.

7. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge