

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7217 of 2021

Vicky Baxla

.... ***Petitioner***
Mr. D.K. Naik, Advocate

-versus-

State of Odisha and another

.... ***Opposite Parties***
Mr. K.K. Nayak, ASC for State
Mr. R.N. Parija, Advocate

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
09.03.2022

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Rajgangpur P.S. Case No.202 of 2021, corresponding to G.R. Case No.370 of 2021, pending in the file of learned J.M.F.C., Rajgangpur, for commission of alleged offences under Sections 363/376(2)(n)/313/511/506 of IPC.
3. Heard learned counsel for the Petitioner, learned counsel for the State and learned counsel for the Informant. Perused the F.I.R., Case Diary as well as statement of the Informant.
4. It is submitted by learned counsel for the Informant that the matter has been compromised between the parties as the victim has given birth to a male child and both Petitioner and Informant have decided to stay together along with their child. An affidavit on behalf of Opposite Party No.2-victim girl has been filed, which is

placed at Flag-A of the bail application. Since the Petitioner has been languishing in jail custody, their marriage could not be possible. On such ground, she submits that she has no objection if the accused Petitioner is released on bail.

5. Learned counsel for the State on the other hand has no objection, in view of the affidavit filed by the Informant stating that the matter has been settled between the parties.

6. Considering the submissions made and keeping in view the affidavit filed by the Informant, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one local surety for the like amount to the satisfaction of the learned court in seisin of the matter subject to the following conditions :

(i) He shall appear before the trial court on each and every date as fixed by the court;

(ii) He shall appear before the I.O. on every Sunday at 10 A.M. to 1.00 P.M. and report to the police;

(iii) He shall not tamper with the prosecution evidence;

(iv) He shall not influence or threaten any prosecution witnesses and cooperate with early conclusion of trial;

(v) He shall provide his present address and mobile number to the I.O. and if any changes therein shall also be intimated to the I.O.; and

(vi) Violation of any of the above conditions shall entail cancellation of the bail.

7. Leaned trial court may add any further conditions, if so requires.

8. With the above direction, the BLAPL is accordingly allowed.

9. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge

U.K.Sahoo

