

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8317 of 2022

Ramesh Rana and another

Petitioners

Mr. J. Panda, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.09.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. Learned counsel for the petitioners is permitted to correct the description of Petitioner No.2 in the Court in the cause title.
4. Learned counsel for the State on instruction submits that notice has been served on the learned counsel for the informant/victim. There is no appearance on behalf of the informant/victim when the matter is called.
5. The petitioners are accused in C.T. Case No.419/116 of 2021-22, pending in the file of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Bhawanipatna, arising out of M. Rampur P.S. Case No.218 of 2021, alleged offence under Sections 294/323/344/363/366/376(2)(n)(3)/506/109/34 of IPC read with Section 6/17 of the Protection of Children from Sexual

Offences Act and 9,10,11 of the Prohibition of Child Marriage Act and is in custody since 05.01.2022.

6. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Adhoc Additonal District & Sessions Judge, (FTSC, Kalahandi, Bhawanipatna) by order dated 24.08.2022 in the aforementioned case, the present BLAPL has been filed.

7. It is submitted by the learned counsel for the petitioners that principal accused Santanu@ Purnachandra Rana has been released on bail by this Court by order dated 22.09.2022 in BLAPL No.3661 of 2022.

8. It is further submitted with vehemence that even if the entire allegation of the prosecution is accepted at its face value, only the case under Section 109 IPC is made out against the present petitioner.

9. Perused the 164 Cr.P.C. statement of the victim.

10. Considering the release of the co-accused and the period of custody, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge