

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7224 of 2020

Pinku Nag

.... Petitioner

Mr. N. Panda, Advocate

-versus-

State of Orissa

.... Opposite Party

Mr. Sk. Zafrulla, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

03.02.2022

Order No.

04.

1. This matter is taken up through video conferencing.
2. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.363/376(3)/376(2)(n), I.P.C. and Sec.6 of the POCSO Act.
3. Heard Mr. N. Panda, learned counsel for the Petitioner as well as Mr. Sk. Zafrulla, learned A.S.C. for the State-Opposite Party. Mr. Zafrulla submits that notice has been made sufficient on the victim/informant through police.
4. It is submitted that the Petitioner is inside custody since 16.7.2019 and in the meantime trial has already commenced. It is further submitted that as per allegations, the victim and the Petitioner fled away and stayed together separately.

5. After hearing learned A.S.C. for the State-Opposite Party and considering the statement of the victim recorded under Sec.164, Cr.P.C. as well as the circumstances of the case and the period of detention of the Petitioner inside custody, it is directed to release him on bail in connection with Saintala P.S. Case No.125/2019 corresponding to Special G.R. Case No.65/2019 on such terms and conditions to be fixed by the learned Addl. Sessions Judge-cum-Special Judge (POCSO), Balangir as he deems just and proper including the condition that the Petitioner shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo No.514, dated 7th January, 2022.

(B.P. Routray)
Judge