

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.11930 of 2022**

***Maheswar Sahu***

.... ***Petitioner***  
*Mr. G.P. Dutta, Advocate*

**-versus-**

***State of Odisha***

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

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

**ORDER**  
**22.09.2022**

**Order No.**

01. 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 Sections 341/354, I.P.C. and Section 12 of POCSO Act.
4. It is submitted by learned counsel for the Petitioner that the Petitioner and the victim girl are related. He further submits that the Petitioner is aged about 19 years.
5. On perusal of the F.I.R. it appears that the Petitioner caught hold of the hand of the victim girl. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and

moves for bail before the learned Special Judge (POCSO), Bolangir in Special G.R. Case No.617 of 2022 corresponding to Larambha P.S. Case No.127 of 2022 within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case.

However, while imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall cooperate with the investigation and shall appear before the I.O. as and when required;
- (ii) He shall not threaten, terrorise, ill-treat, harass or influence the Informant and her family members as well as the prosecution witnesses in any manner whatsoever, while on bail.
- (iii) He shall appear before the trial court on each date fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

- 6. The ABLAPL is disposed of accordingly.
- 7. Urgent certified copy of this order be granted as per rules.

**(A.K. Mohapatra)**  
**Judge**