

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12099 of 2022

Sujit Kumar Mohanty @ Sangram ***Petitioner***
Mohanty @ Chagulu

Mr. A. Mishra, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

14.10.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
 4. The petitioner is seeking pre-arrest bail in connection with C.T. Case No.1451 of 2020, arising out of Korei P.S. Case No.262 of 2020 further in C.T.SPl.(POCSO) No.87 of 2022 pending in the court of learned Additional Sessions Judge-cum-Special Judge, Jajpur for commission of offences punishable under Sections 363/376(2)(n), I.P.C. read with Section 6 of the POCSO Act.
 5. It is submitted by learned counsel for the petitioner that the victim and the petitioner have married each other and they are leading happy conjugal life.
 6. As per statement of the victim recorded under Section 164,

Cr.P.C., learned counsel for the State submits that in the meantime, victim has married to the petitioner and they are staying together as husband and wife and also they are leading happy conjugal life peacefully.

7. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

Jagabandhu

