

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8380 of 2021

Bikram Majhi @ Bhatra

....

Petitioner

M/s. T.K.Mishra, Advocate

-versus-

State of Orissa

....

Opp. Party

M/s.S.N.Das, A.S.C.

CORAM:

JUSTICE G. SATAPATHY

ORDER

08.09.2022

Order No.

- 07.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Dabugaon P.S. Case No.100 of 2021 corresponding to T.R. Case No.59 of 2021 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge under POCSO Act, Nabrangpur for commission of offence punishable U/Ss. 376/506 of I.P.C.
 3. In the course of hearing of the bail application, learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is also detained in custody since more than a year and in the meantime, charge sheet has already been submitted in this case and there being no offence attracted against the petitioner, he may kindly be enlarged on bail.
 4. On contrary, learned counsel for the State, while opposing the bail application of the petitioner submits that the victim having conceived by physical relationship with the petitioner, the petitioner shall not be released on bail at this stage.
 5. Considering the nature and gravity of allegations levelled against the petitioner and keeping in mind the nature of statement of the victim as recorded under section 164 Cr.P.C. and her age stated by the victim to be 18 years in such statement and regard being had to the pre-trial detention

of the petitioner since last one year and no material being collected by the investigating agency that the petitioner will tamper with the evidence or abscond, this Court feels it proper to enlarge the petitioner on bail.

6. Hence, the prayer for bail of the petitioner is allowed and the Petitioner be released on bail on furnishing bail bond of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the learned trial Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall not leave the jurisdiction of the learned trial Court without prior permission till conclusion of trial in the case and the petitioner shall attend the trial Court on each date of posting of the case unless his attendance is dispensed with by the learned trial Court.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of the order be granted on proper application.

(*G. Satapathy*)
Judge

Kishore

