

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8527 of 2021

Tinu @ Raja Nayak

.... Petitioner

Mr.A.R.Panda, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr.Sk.Zafrulla, ASC

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

3.2.2022

Order No.

- 3.
1. This matter is taken up by video conferencing mode.
 2. Heard Mr.Panda, learned counsel for the Petitioner and Mr.Zafrulla, learned Additional Standing Counsel for the State.
 3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner in connection with C.T.Case No.53 of 2021 arising out of Balliguda P.S.Case No.129 of 2021 pending in the court of the learned Additional District & Sessions Judge-cum-Special Judge (POCSO), Phulbani for alleged commission of offence under Sections 363/376 of the I.P.C. and Section 4 of the POCSO Act.
 4. It is submitted that the Petitioner is inside custody since 8.8.2021 and in the meantime investigation has already been completed. It is further submitted that as per the allegations the victim came with the Petitioner and there was promise to marry.
 5. After hearing Mr.Zafrulla, learned Additional Standing Counsel for the State and considering the statement of the victim

made under Section 164 Cr.P.C and the circumstances of the case, it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions to be fixed by the learned court below in seisin over the matter including the condition that he 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 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, modified by Notice No.4798, dated 15th April,2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January,2022.

(B.P. Routray)
Judge