

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9173 of 2021

Jalandhara @ Jalan Harijan

.... Petitioner

Mr. A. P.Mishra,
Advocate

-versus-

State of Odisha

.... Opposite Party

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.01.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard Mr. A. P.Mishra, learned counsel for the Petitioner and Mr. S.K.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 23rd June, 2021 in connection with Jaipatna P.S. Case No.199 of 2021 pending in the court of learned J.M.F.C., Jaipatna corresponding to C.T. Case No.190/2021 for the alleged commission of the offence under Sections 376/323/294 of IPC. It is alleged that the

Petitioner forcibly ravished the victim girl by taking her to a nearby forest.

4. Learned counsel for the Petitioner has drawn attention of the Court to the Section 164 Cr.P.C. statement of the victim wherein she has clearly stated that she was in love with the Petitioner for the last five years and there is no specific allegation regarding the commission of rape.

5. Learned Addl. Standing Counsel for the State, on the other hand, opposed the prayer for bail by submitting that there are other materials on record to show that the Petitioner forcibly committed rape on the victim.

6. Having regard to the submissions made, the materials on record, particularly the statement of the victim girl recorded under Section 164 of Cr.P.C. and the period of detention already undergone, I am inclined to direct the release of the Petitioner on bail.

7. Let the Petitioner- Jalandhara @ Jalan Harijan be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that he shall not approach, threaten, coerce or pressurize the victim in any manner whatsoever.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

