

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9319 of 2021

Kishun @ Sunaram Murmu

....

Petitioner

Mr. L. Bhuyan
Advocate

-versus-

State of Odisha

....

Opposite Party

Miss.S.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.01.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard Mr. L. Bhuyan , learned counsel for the Petitioner and Miss.S.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 10th July, 2021 in connection with Daitari P.S. Case No.61/2017 corresponding to S.T. Case No.2/18/53 of 2021 pending in the court of Fast Track, Special Court, Keonjhar (arising out of G.R. Case No.1555/2017) for the alleged commission of the offence under Section 376 of I.P.C.

4. It is submitted by the Petitioner that a bare perusal of the F.I.R. would show that the Petitioner and the victim had consensual sexual relationship, but only because the victim was caught, a story was built to cover up the same.

5. Learned Addl. Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that the victim lady has supported the F.I.R. allegation in her statement under Section 164 Cr.P.C.

6. Considering the submissions made, the materials on record and the nature of allegation as laid in the F.I.R. as also the period of detention already undergone, I am inclined to allow the prayer for bail.

7. Let the Petitioner- Kishan @ Sunaram Murmu be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the trial court on each date of posting of the case without fail.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

