

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9323 of 2021

Asish Kumbhara

....

Petitioner

Mr. S. Mohanty
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. S. Mohanty, learned counsel for the Petitioner and Miss.S.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 5th August, 2021 in connection with Bharatpur P.S. Case No.244/2021 corresponding to T.R. Case No.328/2021 pending in the court of learned Addl. District and Sessions Judge, Bhubaneswar, for the alleged commission of the offence under Section 354(A) of I.P.C. read with Section 8 of the POCSO Act.

4. It appears, the only allegation against the present Petitioner is that he said to have fondled the private parts of the victim girl. There is no allegation whatsoever of rape. Charge sheet has already been submitted.

5. Considering the above facts, the materials on record and the nature of allegations levelled against the Petitioner as also the period of detention already undergone, I am inclined to allow the prayer for bail.

6. Let the Petitioner- Asish Kumbhara 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.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge