

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No. 936 of 2022

Manamohan Moharana

....

Appellant

Mr. P.S. Das, Advocate

-Versus -

State of Odisha & Anr.

....

Respondents

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

22.11.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the appellant and learned Addl. Standing Counsel for the State.
3. Learned State Counsel informs that the notice on the informant has been served on 18.11.2022. There is however, no appearance. Hence the CRLA is taken up for hearing.
4. The appellant is in custody in connection with Keonjhar Town P.S. Case No.256 of 2022 corresponding to Special Case No.54 of 2022 pending in the Court of learned District & Sessions Judge-cum- Special Judge under SC & ST (POA) Act, Keonjhar for the alleged commission of offence under Sections 376(1)/506 of IPC read with Section 3(2)(v) of S.C. & S.T. (POA) Act.
5. It is alleged that the appellant entered into the house of the victim and forcibly took her to a nearby room and committed rape.
6. It is submitted that the allegations are false and baseless and that in all probability the act was consensual in nature.
7. I have considered the submissions and I have also perused the statement of the victim recorded under Section 161 of Cr.P.C. Considering the same, I am not inclined to allow the prayer for bail, which is therefore, rejected. It is open to the appellant to renew his

prayer for bail after examination of the victim during trial.

8. CRLA is accordingly disposed of.
9. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

