

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13712 of 2022

Narottam Sahoo & Others

....

Petitioners

Mr. Laxman Bhoi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

14.11.2022

Order No.

02.

1. Heard learned counsel for the Petitioners and the State.

2. This application for bail under Section 438 Cr.P.C. has been filed by the Petitioners in anticipation of arrest allegedly for their involvement in the offence under Sections 376(1)/506/34, I.P.C. in connection with Olatpur P.S. Case No.108 of 2022 corresponding to G.R. Case No.2711 of 2022 pending in the Court of learned J.M.F.C. (R), Cuttack.

3. It is submitted by learned counsel for the Petitioners that the allegations appearing in the F.I.R. are all concocted and there is no truth behind it. He further submitted that the Informant had established consensual physical relationship with the son of Petitioner No.1 namely Bijay Kumar Sahu and, as such, the offences alleged are not applicable to the instant case, and the Petitioners may be considered for bail.

4. Learned counsel for the State on the other hand vehemently opposed to the bail of the Petitioners. It is submitted that the statement of the victim girl recorded under Section 164, Cr.P.C. substantially indict the conduct of the accused persons and their involvement in this heinous crime and as such no leniency can be shown to the Petitioners while considering their prayer for bail.

5. Perusal of the contents in the F.I.R. and the statement of the victim recorded U/s.164, Cr.P.C. substantially implicates the accused petitioners in the offence alleged. The circumstances appearing in execution of the crime speaks volumes about the allegations made in the F.I.R. Having regard to the fact that the victim lady is consistent in her approach in bringing the truth, prima facie constituting the offences which is not only serious but also grave in nature, this Court is not inclined to grant anticipatory bail.

6. The prayer for anticipatory bail stands rejected and the ABLAPL stands dismissed.

(*Chittaranjan Dash*)
Judge

S.K. Parida