

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9428 of 2021

Baida @ Baiba Lahajal

....

Petitioner

Mr. Umakanta Barik
Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

07.01.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard Mr. Umakanta Barik, 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 July, 2020 in connection with Golamunda P.S. Case No.103/2020 corresponding to C.T. Case No.30/2021 pending in the court of learned Addl. Sessions Judge, Dharmagarh for the alleged commission of the offence under Sections 376(1)/450/506/34 of I.P.C. and Section 67 of the I.T. Act.

4. It is submitted by the learned counsel for the Petitioner that the F.I.R. story on the face of it is not worthy of belief and on the contrary the same suggests that the victim and the Petitioner had willfully engaged in physical relationship but the matter having somehow come to the knowledge of other family members, the F.I.R. was lodged to hide the said misdeed. It is also submitted that charge sheet has already been filed in this case.

5. Considering the submissions made, the materials on record, the period of detention already undergone and the nature of allegations made by the victim, who is a married lady aged about 35 years, I am inclined to allow the prayer for bail.

6. Let the Petitioner- Baida @ Baiba Lahajal 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

