

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.608 of 2021

Bikram Swain

....

Appellant

Mr. J. Sahoo, Advocate

-versus-

1. State of Odisha

2. Laxmi Nahak

....

Respondents

Mr. Arupananda Das,

Addl. Government Advocate

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
12.09.2022**

Order No.

07.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the State on instruction submitted that the notice on the mother of the informant is sufficient and the informant is not married.

None appears on behalf of the respondent no.2.

Heard learned counsel for the appellant and learned counsel for the State.

This is an appeal under section 14-A of S.C. & S.T. (PoA) Act, 1989 in connection with G.R. Case No.29 of 2021 arising out of Kabisuryanagar P.S. Case No.258 of 2021 pending in the Court of learned Additional Sessions Judge -cum- Special Judge, Chatrapur for offences punishable under sections 376(2)(n) of the Indian Penal Code and section 3(2)(v) of the S.C. & S.T. (PoA) Act.

The appellant moved an application for bail before the Court of learned Additional Sessions Judge -cum- Special Judge, Chatrapur which was rejected on 22.06.2021.

Learned counsel for the State placed the 164 Cr.P.C. statement of the victim.

After going through the 164 Cr.P.C. statement of the victim and in view of the nature and gravity of the accusation, while not inclining to release the appellant on bail, but taking into account the period of detention of the appellant in judicial custody, I direct the learned trial Court to expedite the framing of charge and steps shall be taken for examination of the victim at the first instance. The appellant is at liberty to renew his prayer for bail after examination of the victim in the trial Court.

The CRLA is accordingly disposed of.

A copy of the order be communicated to the learned trial Court for compliance.

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

(S.K. Sahoo)
Judge