

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9688 of 2021

Bana @ Subash Chandra Nayak ***Petitioner***

Mr. S.N.Mishra-4
Advocate

-versus-

State of Odisha ***Opposite Party***

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
11.3.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard Mr. S.N.Mishra-4, learned counsel for the Petitioner and Mr. S.K.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 18th August, 2021 in connection with Khantapada P.S. Case No.235/2021 corresponding to Special Case No.207/2021 pending in the court of learned Special Judge, Balasore for the alleged commission of the offence under Sections

363/342/376(1)/506/34 of I.P.C. and Section 6 of the POCSO Act.

4. Considering the submissions made, the materials on record, the period of detention already undergone and looking at the statement of the victim recorded under Section 164 of Cr.P.C. which is more or less consistent with the medical examination report which suggests that there is no sign or symptom of sexual intercourse, I am inclined to allow the prayer for bail.

5. Let the Petitioner 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.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge