

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9742 of 2021

Sibu Bhoi @ Somnath Bhoi

....

Petitioner

Mr. A.C.Rath
Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

10.5.2022.

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. As directed the DNA report has been produced by the learned State counsel. A perusal of the statement reveals that the Petitioner is not the biological father of the child that was given birth to by the victim.
4. The Petitioner is in custody since 12th November, 2020 in connection with Cuttack Sadar P.S. Case No.594/2020

corresponding to Special G.R. Case No.110/2020 pending in the court of learned A.D.J.-cum-Special Court under POCSO Act, Cuttack for the alleged commission of the offence under Section 376(3)/376(2)(n)/506 of the I.P.C. and Section 6 of the POCSO Act.

5. Having regard to the above facts as also the statement of the victim recorded under Section 164 of Cr.P.C. and taking into account the period of detention in custody, I am inclined to allow the prayer for bail.

6. 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 court below on each date of posting of the case, failing which appropriate orders shall be passed to take him to custody again.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

