

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9746 of 2021

Papuni Behera

....

Petitioner

Mr. N. Panda, Advocate

- Versus -

State of Odisha & Anr.

.... **Opposite Parties**

Mr. P.K. Maharaj, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

28.02.2022

Order No.

2.

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. It is submitted by learned counsel State Counsel that notice on the victim was served on 18.01.2022, however, there is no appearance from her side. As such, the bail application is taken up on the basis of the materials available on record.
4. The petitioner is in custody since 10.03.2021 in connection with Banki P.S. Case No.307 of 2020 corresponding to Special G.R. Case No. 33 of 2021 pending in the Court of learned Addl. District Judge-cum-Special Court, under POCSO Act for the alleged commission of offence under Sections 363/366/376(3)/376(2)(n) of IPC read with Section 6 of POCSO Act.
5. Considering the submissions, materials on record, the period of detention and in particular the statement of the victim recorded under Section 161 of Cr.P.C., I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and

conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

