

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9869 of 2021

Deepak Mahakhud

....

Petitioner

Mr. M.K.Panda,
Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

09.5.2022.

Order No.

02.

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. The Petitioner is in custody since 6th July, 2019 in connection with Thakurgarh P.S. Case No.62/2019 corresponding to Special POCSO Case No.43/2019 pending in the court of learned Addl. District and Sessions Judge-cum- Special Court (POCSO), Angul for the alleged commission of the offence under Section 363/376 (2)(n) of the I.P.C. read with Section 6 of the POCSO Act.

4. The Prosecution case is that the Petitioner committed forcible sexual intercourse on the victim who was a minor girl at the relevant time. It is also alleged that the Petitioner took away the victim to Tentuli Pathar where he kept her in a house for one month and committed rape. As it appears, trial is in progress and the victim has already been examined as P.W.3.

5. Considering the above facts, the materials on record including the statement of victim and the period of detention in custody, I am inclined to allow the prayer for bail. 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 without fail.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge