

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9892 of 2021

Santosh Kumar Tarei

....

Petitioner

Mr. S. Roy, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

16.03.2022

Order No.

3.

1. This matter is taken up through hybrid mode.
2. It is submitted by learned State Counsel that notice on the victim has already been served, there is however no appearance from the side of the victim, hence the bail application is taken up for hearing.
3. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
4. The petitioner is in custody since 07.08.2021 in connection with Itamati P.S. Case No.114 of 2021 corresponding to Special G.R. Case No.100 of 2021 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge under POCSO Act, Nayagarh for the alleged commission of offence under Sections 363/366/376 of IPC read with Section 6 of POCSO Act.
5. It is alleged that the petitioner kidnapped the victim and kept her at different places and committed sexual intercourse several times.
6. Considering the submissions, materials on record, the period of detention and in particular the statement of the victim recorded

under Sections 161 and 164 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.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

