

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.623 of 2021

Prahallad Deo

....

Appellant

Mr.Thakur Sangram Singh, Advocate

-versus-

State of Odisha and another

....

Respondents

Mr. Manoj Ku. Mohanty, ASC for State-Res. No.1

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

04.03.2022

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Pursuant to order of this Court dated 17.02.2022, the victim girl appeared in person through Video Conferencing mode and objected the bail application of the Appellant.
3. Heard learned counsel for the Appellant, learned counsel for the State-Respondent No.1 and the Informant-Respondent No.2 in person through Video Conferencing mode. Perused the Case Diary, F.I.R. as well as statement of the witnesses recorded under Section 164 Cr.P.C., which is filed by learned counsel for the Petitioner in Court today. The same is taken on record.
4. This appeal has been filed by the Appellant challenging the order dated 11.10.2021 passed by the learned District and Sessions Judge-cum-Special Judge, Sundargarh in Spl. G.R. Case No.123 of 2021 for commission of offences under Sections 417/493/376(2)(n)/294/506 of I.P.C. r/w. Sections 3(1)(r)(s) and 3(2)(v) of S.C./S.T.

Prevention of Atrocities act, 1989, rejecting the bail application filed by the Appellant.

5. The victim girl, who appeared through Video Conferencing mode submitted that both the Petitioner and the victim girl were prosecuting their studies in one College and where they developed love relationship between themselves since the year 2019. She further submitted that Petitioner kept physical relationship with the victim girl with a promise to marry her. Later on, the victim girl insisted that he should marry her. But then, the Petitioner did not agree to such proposal of the victim instead he casts aspersion against her caste.

6. At this juncture, learned counsel for the Petitioner submits that he does not want to press this Criminal Appeal and seeks liberty to move a fresh bail application for the Petitioner after examination of the victim girl by the trial court.

7. In such view of the matter, this Court disposes of the Criminal Appeal as not pressed with a direction to the trial court to examine the victim girl in this case expeditiously. However, liberty is granted to the Appellant to move a fresh bail application after the victim is examined. The trial court is further directed to expedite the trial of the case and conclude the same, as expeditiously as possible, preferably by end of July, 2022.

8. With the aforesaid direction, the CRLA stands disposed of.

9. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge