

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9938 of 2021

Jayasingh Dharua @ Majhi

.... Petitioner

Mr. S.K. Joshi, Advocate

-versus-

State of Odisha and another

.... Opposite Parties

Mr. P.K. Pattanaik, A.G.A.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

19.01.2022

Order No.

01.

1. This matter is taken up through video conferencing.
2. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.363/366/376(2)(n) I.P.C. and Section 6 of the POCSO Act.
3. Heard Mr. S.K. Joshi, learned counsel for the Petitioner as well as Mr. P.K. Pattanaik, learned A.G.A. for the State-Opposite Party No.1.
4. It is submitted that the Petitioner is inside custody since 20.1.2021 and both victim and Petitioner were in love relationship.
5. After hearing learned A.G.A. for the State-Opposite Party No.1 and considering the statement of the victim recorded under Section 164, Cr.P.C. as well as circumstances of the case, it is

directed to release the Petitioner on bail in connection with Turekela P.S. Case No.129/2020 corresponding to Special G.R. Case No.07/2021 on such terms and conditions to be fixed by the learned A.D.J.-cum-Special Court under POCSO Act, Balangir as he deems just and proper including the condition that the Petitioner shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo No.514, dated 7th January, 2022.

(B.P. Routray)
Judge