

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9952 of 2021

Sarbeswar Majhi ... **Petitioner**
Mr. S. Dwibedi, Advocate
- Versus -
State of Odisha and Anr. ... **Opposite Parties**
Mr. S.K. Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
17.02.2022

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. Notice issued to the victim has been duly served on 28.01.2022, but there is no appearance from her side. As such, the matter is taken up on the basis of the materials on record.
4. The petitioner is in custody since 18.09.2021 in connection with Itamati P.S. Case No. 121 of 2021 corresponding to Special G.R. Case No.123 of 2021 pending in the court of learned Additional Sessions Judge-cum-Special Judge under POCSO ACT, Nayagarh for the alleged commission of offence under Sections 363/366/376(3) of IPC and Section 6 of POCSO Act.
5. Considering the submissions, the 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

