

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11224 of 2022

Manoranjan Dash @ **Petitioner**
Manoranjan Das

Mr. S.K. Sarangi, Advocate

-versus-

State of Odisha **Opp. Party**

Mrs. Susamarani Sahoo,
Addl. Standing Counsel
Mr. Aurovinda Mohanty
(for informant)

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

19.12.2022

01. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard learned counsel for the petitioner and learned counsel for the State as well as learned counsel for the informant.

This is an application under section 439 of Cr.P.C. in connection with C.T. Case No.864 of 2022 arising out of Laxmisagar P.S. Case No.62 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for offences punishable under sections 417/420/376/354/506 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the case arises out of a complaint petition and

prior to filing of the complaint petition, the complainant/informant approached Mahila police station and lodged a report indicating therein that the petitioner had given assurance of marriage to her since last five years but in spite of that, his marriage has been fixed with another girl. Such a report was filed on 31.01.2022 but on 02.02.2022 the complaint petition was filed making allegation against the petitioner that he had kept physical relationship with her on many occasions which is completely absent in the report which has been submitted two days back. Learned counsel for the petitioner further submitted that the informant/complainant is a married lady and her husband has instituted a divorce case against her in the Court of learned Judge, Family Court, Bhubaneswar in C.P. No.17 of 2019 which is subjudiced and the ingredients of offences are not attracted and since in the meantime, on completion of investigation, charge sheet has been submitted against the petitioner under sections 417/420/323/376(2)(n)/354 and 506 of the Indian Penal Code, the bail application of the petitioner may be favourably considered.

Considering the submission made by the learned counsel for the respective parties, the nature of accusation against the petitioner and after going through the complaint petition and other documents and the period of detention of the petitioner in judicial

custody, I am inclined to release the petitioner on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.20,000.00 (rupees twenty thousand) with two solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper subject to condition that the petitioner shall not try to keep any contact with the victim or tamper with the evidence and he shall appear before the learned trial Court on each date when the case would be posted for trial. Violation of any terms and conditions shall entail cancellation of bail.

The BLAPL is accordingly disposed of.

Urgent certified copy of this order is granted on proper application.

(**S.K. Sahoo**)
Judge