

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA NO. 649 of 2020

Akhaya Kumar Panda

....

Appellant

Mr.V.Narasingh, Advocate

-versus-

State of Odisha & another....

Respondents

Mr.M.K.Mohanty, ASC

CORAM:

JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
06.1.2022

06. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the appellant and learned counsel for the State.
3. The appellant has preferred this Criminal Appeal with a prayer to release him on bail in connection with T.R. Case No.95 of 2020 arising out of Jeypore Town P.S. Case No.241 of 2020 pending in the Court of learned Additional Sessions Judge- Special Judge, Jeypore for commission of offence under Sections 376(2)(f)/376(3) of the Indian Penal Code read with Section 4 of the POCSO Act 2012 and Section 3(2) (v) of SC & ST (PA) Act.
4. The prosecution case in brief is that one Sukanti Soy lodged an FIR on 23.09.2020 at about 10.25 P.M. to the effect that on 22.09.2020 at 8.30 P.M. her niece Chandrika Singh daughter of Dularam Singh went to submit her only exam paper at Sarada Coaching Centre, Raju Street, Jeypore. She had taken admission there where she was in Class IX. While she was the student, her Geography teacher, Akhaya Kumar Panda caught hold her and touched her inappropriately. Though the petitioner is a teacher and his conduct is unbecoming of a teacher but

considering the period of custody without trial he deserves to be enlarged on bail.

6. However, considering the submissions made, facts and circumstances of the case as well as period of detention, this Court is of the view that the appellant deserves to be released on bail. Accordingly, the prayer for bail of the appellant stands allowed.

7. Hence, the appellant be released on bail in the aforesaid case by the court in seisin over the matter on some stringent terms and conditions as deemed just and proper with further conditions that:-

- i. the appellant shall appear before the learned trial court on each date posting of the case;
- ii. he shall not threaten or coerce the informant in any manner and
- iii. he shall not tamper with the prosecution evidence in any manner.

8. Violation of any of the aforesaid conditions may entail consideration for cancellation of the bail granted to the appellant.

9. Accordingly, the CRLA stands disposed of.

10. Issue urgent certified copy of the order as per Rules.

(S.K.Panigrahi)
Judge