

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10640 of 2021

Titu @ Ramya Ranjan Behera

....

Petitioner

Mr. U. Barik, Advocate

- Versus -

State of Odisha

.... Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

16.03.2022

Order No.

3.

1. This matter is taken up through hybrid mode.
2. It is informed by learned State Counsel that notice on the victim has already been served, there is however no appearance from her side, hence the bail application is taken up for hearing.
3. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
4. The petitioner is in custody since 15.02.2021 in connection with Basta P.S. Case No.40 of 2021 corresponding to Special Case No.44 of 2021 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Balasore for the alleged commission of offence under Sections 363/366/376(3)/323/294/34 of IPC
5. The allegation is that the petitioner forcibly took away the victim against her will and kept her in his house after marrying her in the local Tarini Temple. It is further alleged that the mother-in-law of the victim used to inflict mental and physical cruelty but the same was not objected to by the petitioner.

6. Learned State Counsel submits that the victim is a minor girl being aged about 14 years and therefore, even if she had consented to the relationship, the same is immaterial.

7. Considering the submissions as above, the materials on record, the period of detention in custody and the fact that charge sheet has already been submitted in the case, 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.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

