

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11906 of 2022

Mahindra Mallik

....

Petitioner

Mr. R.C. Maharana, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. P.Tripathy,

Additional Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

20.12.2022

Order No.
01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 04.10.2020 in connection with Jenapur P.S. Case No. 307 of 2020 corresponding to C.T. Spl. POCSO No. 115 of 2020 pending in the Court of learned Adhoc. Addl. Dist. & Sessions Judge (FTSC), Jajpur for the alleged commission of the offence under Sections-363/366/376(2)(n) of the I.P.C and Section-6 of the POCSO Act.
4. Though, it is alleged that the victim was kidnapped by the petitioner and forcibly raped, yet the deposition of the victim, copy of which is enclosed with the Bail Application reveals a different story.
5. Considering the said fact and the period of detention in custody, 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.

6. Accordingly, the BLAPL is disposed of.
7. Urgent certified copy of this order be granted as per rules.

(Sashikanta Mishra)
Judge

Balaram

