

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12003 of 2022

Lalith Mandal Nayak

.... ***Petitioner***
Mr. J. Sahoo, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. S.R.Roul, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
20.12.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Mohana P.S. Case No.139 of 2022 corresponding to G.R. Case No. 168 of 2022 pending in the file of learned J.M.F.C., Mohana for commission of offences punishable U/Ss. 376(2)(n)/344/323/420/506/34 of IPC, on the allegation of committing sexual intercourse upon the victim on the false assurance of marriage and thereby cheated the victim.
 3. In the course of hearing of the bail application, Mr. J. Sahoo, learned counsel for the Petitioner submits that the Petitioner and the victim are in love relationship with each other and there is no iota of evidence available against the Petitioner for commission of rape upon the victim. It is further submitted that the Petitioner is in custody since 21.08.2022 and in the meantime charge-sheet has already been submitted. Learned counsel for the Petitioner under aforesaid submissions prays to grant bail to the Petitioner.
 4. On the other hand, Mr. S.R. Roul, learned A.S.C. opposes the

bail application of the Petitioner vehemently.

5. Considering the rival submissions made, taking into consideration the nature and gravity of accusations raised against the Petitioner and keeping in view the other surrounding circumstance including the pre-trial detention of the Petitioner and submission of charge-sheet in this case and regard being had to the age of the victim and taking into account the nature of allegation against the Petitioner, this Court admits the Petitioner to bail.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the Petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.

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

(G. Satapathy)
Judge