

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 12102 of 2022

Basanta Chouhan

....

Petitioner

Ms. Diptirekha Nanda, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Prasanna Kumar Mohanty
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
21.12.2022**

Order No.

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.

This is an application under section 439 of Cr.P.C. in connection with C.T. (Special) Case No.72 of 2022 arising out of Rengali P.S. Case No.165 of 2022 pending in the Court of learned Additional Sessions Judge -cum- Presiding Officer, Special Court, POCSO, Jharsuguda for offences punishable under sections 363/366/376(2)(n) of the Indian Penal Code read with section 6 of the POCSO Act.

The prayer for bail of the petitioner was rejected by the learned Additional Sessions Judge -cum- Presiding

Officer, Special Court, POCSO, Jharsuguda vide order dated 11.11.2022.

Considering the submission made by the learned counsel for the petitioner that the petitioner is in judicial custody since 11.11.2022 and investigation has made substantial progress and after going through the 164 Cr.P.C. statement of the victim in which she has stated about her love affairs with the petitioner and keeping physical relationship with the petitioner for four occasions and on hearing the learned counsel for the State, I am inclined to release the petitioner on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned Court may deem just and proper.

Accordingly, the BLAPL is disposed of.

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

(S.K. Sahoo)
Judge

RKM