

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11221 of 2021

Sushanta Behera

....

Petitioner

Mr. N. Sahani,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
23.03.2022.

Order No.

- 03.
1. This matter is taken up through hybrid mode.
 2. It is submitted by learned State counsel that the notice on the victim has already been served on 18th March, 2022. However, there is no appearance on the side of the victim. 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 30th October, 2021 in connection with Tangi P.S. case No.412/2021 corresponding to T.R. Case No.476/2021 pending in the court of learned Addl.

Sessions Judge, Bhubaneswar for the alleged commission of the offence under Sections 363/376(3) of I.P.C. and Section 6 of the POCSO Act.

5. As it appears from the statement of the victim girl recorded under Section 164 of the Cr.P.C., she had eloped with the Petitioner on her own will and thereafter both of them stayed in a rented house at Bhubaneswar maintaining physical relationship.

6. Having regard to the submissions made, 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.

7. Let the Petitioner be released on bail in the aforesaid case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that he shall appear before the court below on each of posting of the case without fail.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

