

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16570 of 2021

Chandrajith Kumbhar @ Bhramara ***Petitioner***

Mr. J. Sahoo, Advocate

-versus-

State of Odisha ***Opp. Party***

*Mr. Arupananda Das,
Addl. Government Advocate*

CORAM:

JUSTICE S.K. SAHOO

ORDER

24.01.2022

Order No.

01.

This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with C.T. Case No.1097 of 2021 arising out of Ambabhana P.S. Case No.167 of 2021 pending in the Court of learned S.D.J.M., Bargarh for alleged commission of offences under sections 417/376(2)(n) of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the victim is a major girl and there was love affair between the victim and the petitioner for about two years and they kept physical relationship with each other and the

ingredients of the offence under section 376 of the Indian Penal Code are not attracted and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the nature and gravity of accusation against the petitioner as per the statement of the victim, while not inclining to grant anticipatory bail to the petitioner, it is ordered that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

(S.K. Sahoo)
Judge

RKM