

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12594 of 2022

Chinu Bisoi

.... ***Petitioner***
Mr. A. Mishra, Advocate

-versus-

State of Orissa

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

CORAM:
JUSTICE G. SATAPATHY

ORDER
22.12.2022

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 Jeypore Mahila P.S. Case No.90 of 2022 corresponding to G.R. Case No. 831 of 2022 pending in the file of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Jeypore for commission of offences punishable U/Ss. 363/366/376(2)(n)/294/506 of IPC, on the allegation of committing rape and aggravated penetrating sexual assault upon the victim by kidnapping her from the lawful guardianship of the informant.
3. In the course of hearing of the bail application, Mr. A. Mishra, learned counsel for the Petitioner submits that it is a case of elopement and the age of the victim is more than 18 years and charge-sheet having already been submitted and the Petitioner being detained in custody since 21.09.2022, may kindly be granted bail.
4. On the other hand, Mr. S.R. Roul, learned A.S.C., vehemently opposes the bail application of the Petitioner.
5. Considering the rival submissions made and taking into consideration the nature and gravity of accusations raised against the Petitioner and regard being had to the pre-trial detention of the

Petitioner and taking into account the statement of the victim and her age and keeping in view the other circumstance on record in entirety, this Court admits the Petitioner to bail.

6. Hence, the prayer for the bail of the Petitioner stand 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 the Petitioner shall report attendance before the jurisdictional Police Station once in a fortnight preferably on Sunday in between 10A.M. to 12 Noon for three months from the date of his release from the custody. The I.I.C., of jurisdictional Police Station shall not detain the Petitioner unnecessarily after recording his attendance beyond the time as stipulated.

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