

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11464 of 2021

Debendra Kand

....

Petitioner

*Mr. J.N.Panda,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. S.K. Mishra
Addl. Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

28.01.2022

Order No.

1.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 05.10.2021 in connection with Koksara P.S. Case No. 201 of 2021 corresponding to C.T. Case No. 223/88 of 2021 (POCSO) pending in the court of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Bhawanipatna for the alleged commission of offence under Sections 363/366/34 of IPC read with Section 17 of Protection of Children from Sexual Offences Act, 2012.
4. Having regard to the nature of allegations, the materials on record, the period of detention already undergone and in particular the statement of the victim recorded under Section 164 of Cr.P.C., I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the

condition that he shall not approach, threaten, coerce or pressurize the victim in any manner whatsoever.

5. The BLAPI is accordingly disposed of.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

(Sashikanta Mishra)
Judge

B.C. Tudu

