

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 11470 of 2021**

***Tapas Kumar Acharya***

....

***Petitioner***

*Mr. Alaya Kumar Behera,  
Advocate*

*-Versus -*

***State of Odisha***

....

***Opposite Party***

*Miss S. 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 28.09.2021 in connection with B.N. Pur P.S. Case No. 233 of 2021 corresponding to G.R. Case No. 175 of 2021 pending in the court of learned Additional District Judge-cum-Special Court under POCSO Act Berhampur, Ganajm for the alleged commission of offence under Sections 363/366/376(2)(n) of IPC read with Section 6 of the POCSO Act, 2012.
4. Having regard to the submissions made, the materials on record, the period of detention already undergone and considering 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 BLAPL 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*

