

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11665 of 2021

Binod Majhi

....

Petitioner

Mr. S.K. Dash, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

07.04.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. It is submitted by learned State Counsel that notice has been served on the victim on 25.02.2022. There is however no appearance from 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 03.07.2020 in connection with Raghunathpalli P.S. Case No.152 of 2020 corresponding to G.R. Case No.96 of 2020 pending in the Court of learned ADJ-cum-Presiding Officer, Special Court (POCSO), Sundargarh for the alleged commission of offence under Sections 363/376(3)/376(2)(n) of IPC read with Section 6 of the POCSO Act.
5. The allegation is that the petitioner sexually assaulted the victim, who is a minor girl, aged about 15 years.
6. However, considering the submissions, materials on record, the period of detention in custody without trial, as also the statement of the victim recorded under Section 164 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 and shall personally appear before the trial court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

