

(2023) 09 OHC CK 0071
In the Orissa High Court
Case No : Bail Application No. 8180 Of 2023

Raja @ Monoranjan Dalei

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 11-09-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 164, 439
Indian Penal Code, 1860 — Section 363, 366, 376(2)(n)
Protection of Children from Sexual Offences Act, 2012 — Section 4(2), 6

Citation : (2023) 09 OHC CK 0071

Hon'ble Judges : G. Satapathy, J

Bench : Single Bench

Advocate : C.R. Satapathy, S.R. Sahoo

Final Decision : Disposed Of

Judgement

G. Satapathy, J

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is a bail application U/S.439 of Cr.P.C. by the petitioner for grant of bail in connection with C.T. Spl. (POCSO) Case No.40 of 2023 arising out of Brahmabarada P.S. Case No.13 of 2023 pending in the file of learned Assistant District and Sessions Judge-Cum-Special Court under POCSO Act, Jajpur, for commission of offences punishable under Sections 363/366/376(2)(n) of IPC and Section 4(2)/6 of the POCSO Act, on the main allegation of kidnapping the victim and committing rape and aggravated penetrative sexual assault upon her.
3. Heard, Mr. C.R. Satapathy, learned counsel for the petitioner and Mrs. S.R. Sahoo, learned ASC and in the matter and perused the record. None appears for the informant and victim despite being informed.
4. After having considered the rival submissions and taking into consideration the nature and gravity of accusation raised against the petitioner and keeping in view the mode and manner of implication of the petitioner in this case and regard

being had to the age of the victim as stated by her in her statement U/S.164 of Cr.P.C. and taking into account the other circumstance on record in entirety, this Court is not inclined to grant bail to the present petitioner.

Hence, the bail application of the petitioner stands rejected.

5. Accordingly, the BLAPL stands disposed of.

6. Issue urgent certified copy of the order as per Rules.

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